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MEMORIALS OF MILLBANK

AND

CHAPTERS IN PRISON HISTORY

MEMORIALS OF MILLBANK.

General View, of Millbank Prison, from the River. Delatre, Printer, London.

MEMORIALS OF MILLBANK, AND CHAPTERS IN PRISON HISTORY.

By ARTHUR GRIFFITHS,

CAPTAIN, H-P., 63RD REGIMENT, AND DEPUTY GOVERNOR OF MILLBANK PRISON.

With Illustrations by R. Goff and the Author.

IN TWO VOLUMES.

VOL. I.

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DEDICATED TO

LIEUT.-COLONEL E. F. DU CANE, C.B.,

ROYAL ENGINEERS,

SURVEYOR GENERAL OF PRISONS,

AND

CHAIRMAN OF DIRECTORS OF CONVICT PRISONS.

PREFACE.

A FEW lines are perhaps needed to explain how I came to write this book.

Having filled since 1872 the post of Deputy Governor of Millbank Prison, I have had, ex-officio, custody of the archives and records of the place. Casual reference to these led me to suppose that extracts from them might prove readable, and I therefore began to collect anecdotes and ana, meaning to publish a small volume of them. As my task proceeded, however, I found my subject growing with it. Millbank has since its erection been so closely connected with all that concerns prisons and penal legislation generally, that the history of one naturally embraced the other. My work has, therefore, become wider and more pretentious in its aim than was originally intended. It may also have become dryer and more dull; but what the narrative loses in merely amusing qualities, will, I trust, be compensated for by the more comprehensive treatment of the subject.

I cannot allow these volumes to go to press without expressing my thanks to those who have assisted me with advice and information; more especially to Wm. Morrish, Esq., Governor, R. M. Gover, Esq., Medical Officer, and Mr. Denis Power, Chief Warder of Millbank Prison.

MILLBANK, S.W.
January 24, 1875.

CONTENTS OF VOL. I.

CHAPTER		PAGE
I.	PRELIMINARY HISTORY	1
II.	THE BUILDING OF THE PENITENTIARY	27
III.	EARLY MANAGEMENT	48
IV.	THE GREAT EPIDEMIC	71
V.	PRISON LIFE BEFORE AND AFTER THE EPIDEMIC	90
VI.	THE PENITENTIARY RE-OCCUPIED	117
VII.	GENERAL MISCONDUCT	147
VIII.	THE FIRST TIGHTENING OF THE REINS	173
IX.	THE CHAPLAIN'S REIGN	194
X.	ESCAPES	227
XI.	THE WOMEN	255
XII.	THE CASE AGAINST THE PENITENTIARY	289

LIST OF ILLUSTRATIONS.

	PAGE
The Site of Millbank in 1808	26
Ground Plan of Millbank Penitentiary	27
Inner Gate	48
The Prison Graveyard	71
Hospital Hulks at Woolwich	90
The Inner Gate	117
The Way to the "Dark"	147
Tower Stairs	173
The Chapel	194
Howard's Escape	227
Female Prisoners at Exercise	255
Entrance to Pentagon	289
In the Prison Garden	310

MEMORIALS OF MILLBANK.

CHAPTER I.

PRELIMINARY HISTORY.

The fact that Millbank prison is doomed, that the well-known gloomy pile by the river side, with its dull exterior, black portals, and curious towers, is soon to give place to other buildings, more beautiful perhaps, but not necessarily more useful, may be sufficient apology for this book. This prison no longer attracts the wide attention it did in former days; and yet the very name contains in itself almost an epitome of our whole penal legislation. With it one intimately associates the names of men like Howard and Jeremy Bentham; an architect of eminence, Sir Robert Smirke, superintended its erection; while statesmen and high dignitaries, dukes, bishops, and members of parliament were to be found upon its committee of management, exercising a control that was far from nominal or perfunctory, not disdaining a close consideration of the minutest details, and coming into intimate personal communion with

the criminal inmates, whom, by praise or admonition, they sought to reward or reprove. Its origin then, and the causes that brought it into being; its object, and the success or otherwise of those who ruled it; its annals, and the curious incidents with which they are filled,—these are topics which may not be uninteresting to the general reader.

The pictures painted by Howard of the horrors of prison life are known to have been by no means overcoloured, but familiarity with the revolting details has bred in us, if not exactly contempt, at least a certain indifference to the frightful story they told. It was naturally far otherwise when Howard's indignant protests were first made public. They appealed then with a voice that was trumpet-tongued to all in whom the instincts of humanity were not quite dead, and woke even the most apathetic to activity. Interest once evoked, sympathy followed, and from that time forth the question of prisons and prison management attracted daily greater attention.

Nor was it much too soon. The condition of our prisons, as disclosed in Howard's reports, was a disgrace to civilization. The mere aspect of the prisoners was most miserable; when visited they were found of thin and sallow visage, in form emaciated, oftentimes dying of pestilential diseases as they lay on the foul dungeon floors quite untended and destitute of the commonest necessaries of life. They had no regular allowance of food: perhaps a pennyworth or two of bread, and that reduced in weight by petty thefts before it reached the prisoner. No wonder that they looked half starved when they came up for trial; that

they were clothed in rags; and that they carried with them, wherever they went, the seeds of deadly infection. The "Gaol Fever," a disease now happily unknown, was the product of these terrible times. "By it," says Howard, "more people perished than were put to death by all the public executions in the kingdom." At one court held at Oxford Castle, in 1577, and still known as the "Black Assize," all who were present died within forty hours—the Lord Chief Baron, the sheriff, and about three hundred more.* Again at Taunton, in 1730, some prisoners from the Dorchester Gaol infected the court so that the Lord Chief Baron Pengelly, the sergeant, Sir James Sheppard, the sheriff, and some hundreds besides, died of the distemper. It was common for released prisoners to take back contagion into their own homes; and later, in 1750, the Lord Mayor of London, two judges, an alderman, and many of inferior rank, fell victims to the fever. That such a terrible visitant should be ever present within the prison walls, was indeed not strange. Sanitary precautions and rules of action, which are to-day deemed indispensable, were then almost altogether a dead letter.

Overcrowding was practised to a frightful extent. Cleanliness and good ventilation were words without meaning. The wretched inmates were lodged in "close rooms, cells, and subterraneous dungeons, for fourteen or fifteen hours out of the four-and-twenty. In some of these caverns the floor is very damp; in others there is sometimes an inch or two of water: and the straw or bedding is laid on such floors, seldom on barrack bedsteads."† But in few places was there any allowance of bedding: a little straw was sometimes

* Baker's Chronicle, p. 353. † Howard: State of Prisons, i. p. 7.

issued, but left unchanged for months; and in the interval it became filthy, or was ground to dust. As often as not the prisoners lay on rags, or on the floors. No attention was paid to water supply. In most prisons there was no water at all; in others it was kept under lock and key, and given out in stinted quantities, the allowance being sometimes as low as three pints per head, daily, for all purposes. Sewers were generally unknown; and both inside and out the accumulations of filth were offensive beyond expression. It would have been a mockery to mention fresh air in such loathsome dens as these: it was conspicuous only by its absence.

So poisonous and pestiferous was the atmosphere the prisoners were compelled constantly to breathe, that Howard tells us the gaolers often would not accompany him into the felon ward; and that he himself on leaving them found his clothes smelt so offensively that he could not travel in a post chaise with the windows shut, and that he therefore made his journeys subsequently on horseback; the leaves of his memorandum book were often tainted so that he could not use it till it had been exposed to heat; and in the same way the vinegar he carried as a preventive became "intolerably disagreeable." The want of ventilation was greatly increased by the rapacity of the gaolers, who, rather than pay the window tax, preferred to stifle their prisoners. For those who survived the horrors of such an existence, other evils were superadded hardly less atrocious. The indiscriminate herding together of all classes was one of the most flagrant of these; yet it surely was sinful to associate in this way the innocent with the guilty, male and female, debtor and felon, youth and hardened offender.

A rapid spread of demoralization and wickedness was the natural and immediate result; and prisons, meant to punish and deter, acted rather as hot-beds for the growth and multiplication of offenders. Lunatics again, and persons of weak understanding, were suffered to go at large in the midst of the rest, sometimes serving for idle sport, often terrifying and disturbing the other prisoners.

Practices the most objectionable flourished without let or hindrance. Gaming in various forms; cards, dice, skittles, mississipi, fives, tennis, billiards, portobello:* drunkenness, which was quite unchecked, and at the expense of the new comers. For this purpose blackmail, styled "garnish," was levied by the old hands. To pay or strip was the penalty, and thus the poor became poorer, and the needy half naked. In all matters the prisoners were at the tender mercies of their gaolers, of whom in those days Sir William Blackstone asserts that they were "frequently a merciless race of men, and, by being conversant with scenes of misery, steeled against any tender sensation." † Their chief aim was to make their office profitable. Salaries that were often infinitesimal had to be eked out by the iniquitous system of "gaol fees." Innocent men, acquitted in court, were haled back to prison till they paid the gaoler's dues. Extortion in every shape was openly practised. The keepers sold spirituous liquors, and bartered and trafficked with the inmates. Some gaols were private property, and, the funds meant for their maintenance being misappropriated, the establishments were left to prosper as best they could.

It was the custom to load all prisoners with irons so

* Howard: State of Prisons, i. p. 13. † Blackstone, iv. ch. 22.

heavy that "walking, or even lying down to sleep, was difficult and painful."* Women even were not exempt from this barbarous infliction; and though gaolers pleaded safe custody as their excuse, Howard was convinced that avarice was the probable reason, "because county gaolers do sometimes grant dispensations, and indulge their prisoners, men as well as women, with what they call 'choice of irons' if they will pay for it;" yet a learned judge, King, afterwards Lord Chancellor, would by no means admit of the pleading of "safe custody" as an excuse for "ironing" unconvicted men, declaring that prisoners should be secured by "raising higher the prison walls." One instance alone will show what were a gaoler's views of safe custody. Howard mentions that in 1768, at Ely, the prisoners were secured "by chaining them down on their backs upon a floor, across which were several iron bars, with an iron collar with spikes about their necks, and a heavy bar over their legs. An excellent magistrate, James Collyer, Esquire, presented an account of the case, accompanied by a drawing, to the King; with which His Majesty was much affected, and gave immediate orders for a proper inquiry and redress."†

A few items more, and the summary will be complete. Chaplains were appointed to most prisons, but they were never too zealous, and often failed miserably in the due discharge of their sacred office. There was little or no employment for convicted prisoners. Lastly, gaol deliveries were of rare occurrence, so that for ages as it seemed the innocent languished in prison awaiting trial. At Hull the assize was held but once in seven years; and

* Howard: State of Prisons, i. p. 13. † Ibid. p. 291.

in one case a murderer, after being confined for three years, was eventually released because in the interval the principal witness against him had died. So much for the gaols: idleness, drunkenness, vicious intercourse; sickness, starvation, squalor; cruelty, chains,—what need to mention more?

Yet side by side with all this worked a sanguinary code of laws whereby capital punishment was inflicted for even trivial offences. Death indeed was preferable to the living miseries that overtook the respited criminal. For those who had escaped the gallows, or passed scathless through the accumulated dangers of incarceration, the plantations remained. Since the time of Elizabeth, vagabonds under the vagrancy act had been adjudged liable to banishment from the realm. The first actual record of transportation is in the reign of James I., when that monarch ordered 100 "dissolute persons" to be sent out to Virginia; and Cromwell sent his political captives to work as slaves or indented servants to America or the West Indies: but in 1717 it was regularly introduced into our criminal law. An Act passed in that year commented on the inefficiency of the punishments in use, and pointed out that in many of His Majesty's colonies and plantations in America there was a great want of servants, who by their labour and industry would be the means of improving and making the said colonies more useful to the nation.* Persons sentenced, not really but nominally, to death were henceforth handed over to contractors, who engaged to send them across the Atlantic. These contractors became vested with a right in the labour of the convicts for terms

* Heath: Paper on Secondary Punishments. Appendix to Parl. Rep. 1837.

of seven or fourteen years, and this property was sold by public auction when the exiles arrived at the plantations. There was much competition for this labour at a date prior to the existence of negro slavery. To meet the demand the pernicious practice of kidnapping came into vogue, and flourished till the middle of the 18th century, when it was put down by law. The price paid, according to the mercantile returns of sale, appears to have been about £20 a head; but Howard publishes receipts showing that for two guineas a felon could purchase his freedom from the contractor or captain of the ship.

Prisons being what they were, it was hardly likely that the condition of places where felons awaited deportation would be much better; accordingly we find Howard animadverting strongly on the treatment of the wretched transports. At several prisons he had found them chained to the floor. For those in the hulks on the Thames he spoke in such terms, when examined at the bar of the House, that a parliamentary inquiry was set on foot, which elicited, among other facts, that 176 deaths occurred in twenty months among 672 prisoners. Again he quotes from a letter of certain "transport convict" contractors, that their cargoes (of human beings) reached them in such a state, and the subsequent mortality was so great, that they had serious misgivings about embarking again on similar ventures. Howard further remarks that he had taken "some pains to make inquiries concerning the state of transports, with regard to whom many cruelties and impositions were practised, and whose condition was in many respects equally contrary to humanity and good policy," but he refrained from making these observations

public, because by "a recent Act of Parliament a new turn was given to the matter."

The condition of our prisons was in truth a standing disgrace to the country. But evidence is not wanting to show that even before Howard spoke they had begun to attract attention. As far back as the commencement of the century the Society for the Promotion of Christian Knowledge had taken up the question, which was further discussed by a parliamentary inquiry in 1728. No tangible results followed in either case. The Society was probably powerless, and the publication of Blue Books even now does not insure the remedy of abuses. Yet, like straws in running water, the action here alluded to served to show the current in which men's minds were set. A general sense of uneasiness and dissatisfaction was widespread through the country, waiting to find voice and expression. The movement needed only an apostle to preach its doctrines, and found one in Howard. In no other way can we account for the immediate attention which was attracted by his exposures. Even before he spoke, however, Mr. Popham, member for Taunton, had introduced a Bill into the House of Commons for the abolition of gaolers' fees, and the substitution of fixed salaries payable from the county rates. In 1774 this Bill, in an improved state, became law; and from that time forth the progress of amelioration, though not too rapid, was at least continuous.

The first person roused by Howard's revelations to the necessity for reform was the Duke of Richmond, Lord Lieutenant of Sussex, who in 1776 built a new prison at Horsham under Howard's advice and co-operation. The

effects of the new system were so remarkable that twelve years afterwards a learned judge, Lord Mansfield, remarked that the number of prisoners for trial was reduced by half; whereupon the Governor of Horsham gaol replied, "Although in days of yore my prisoners were very frequent in their visits to me, discharged at one assize and in again within the old walls long before the next, yet such, my lord, has been the effect of separate confinement, and of making a rogue think a little, and become acquainted with himself, that in the course of the last twelve years I can solemnly declare that only one prisoner has been twice within these walls." "Good God!" replied the noble earl, "this language of experience is very forcible, and the fact ought to be more generally known."

Such satisfactory results said much of course for the discipline of Horsham Gaol, and its effect in diminishing crime in the particular district in which it was situated. But if Horsham were empty—other prisons were perhaps more full. A "tight" prison may often clear its immediate neighbourhood of offenders; but not necessarily because it reforms them,—more probably because it drives them elsewhere. Thieves are quick to discover the localities that fright or favour them; and in those days they probably avoided Horsham as Europeans would the Gold Coast, or a Hindoo the Arctic regions.

Howard then saw his remonstrance followed by some immediate action. The subject was now taken up warmly. He was more than once called to the bar of the House of Commons and closely interrogated. A thorough revision of the existing law was now contemplated; not alone because he had spoken thus, but because it became

imperative to find some substitute for transportation, which just at this time came suddenly to an end. The revolt of the American colonies had closed that outlet for our criminal sewage. The legislature, making a virtue of necessity, had discovered that "Transportation to His Majesty's colonies and plantations in America was found to be attended by various inconveniences, particularly by depriving the kingdom of many subjects whose labour might be useful to the community;"* and an Act was thereupon passed, providing that convicts sentenced, or liable to transportation, might be employed in certain kinds of hard labour until some other more effectual means could be found for disposing of them. The elaboration of this new method was left to Sir William Blackstone and Mr. Eden (afterwards Lord Auckland), in conjunction with Mr. Howard; and their joint labours produced the Act for the establishment of Penitentiary Houses, which is dated 1778, and is styled the 19th Geo. 3, c. 74. We have here, of course, the first foreshadowing of Millbank Penitentiary, though the first stone of that prison was not to be laid for another five-and-twenty years. The new principles of action were indicated by the 5th section of this Act, wherein the hope was expressed that "if any offenders convicted of crimes for which transportation has been usually inflicted were ordered to solitary imprisonment, accompanied by well regulated hard labour, and religious instruction, it might be the means, under Providence, not only of deterring others, but also of reforming the individuals, and turning them to habits of industry."† And this prescription of separate confinement as the basis of treatment was no

* 16 Geo. 3, c. 43. † 19 Geo. 3, c. 74, sec. 5.

doubt the main feature of the Act; but transportations were still permitted, and to other colonies besides the American, while hard labour at the hulks was provided for the most atrocious and daring offenders.

It has been customary always to credit the Quakers of Pennsylvania with the earliest efforts for the amelioration of prisons and their inmates. But though they led the way doubtless in softening the harshness of a penal code that was universally short and sanguinary, they were clearly forestalled in prison reforms. It was not until 1786 that they established the well-known Walnut Street prison,* and this was years after the erection of the new gaol at Horsham. But if we were really ahead of the Americans in this respect, the Dutch were even before us—for Howard relates in his first edition, how he found a *Maison de Force* at Ghent, half finished, in 1775, wherein all the principles of cellular accommodation and constant employment, as they afterwards obtained, were already thoroughly recognized. And we ourselves did not get much beyond the mere enunciation of the theory. Practice on the part of the Government did not follow for many years, although in Sussex the same Duke of Richmond was instrumental in the erection of the new prison at Petworth, in 1781, while in other counties, notably at Oxford, Stafford, and Gloucester, great efforts were made to keep pace with the new ideas. That the legislature was really anxious also to carry out the suggestions of the Penitentiary Houses Act is undoubted: the delay arose in this wise. Three supervisors had been appointed, under the Act, to purchase ground for the proposed buildings, and to superintend the

* See chapter viii. p. 183.

erection of the prison, which was to hold 600 male and 300 female prisoners. Mr. Howard was the first of these three, and with him were associated Dr. Fothergill, a great personal friend, and Mr. Whately. Unhappily differences of opinion arose among them as to the choice of site. Howard and Dr. Fothergill had selected a spot at Islington, Mr. Whately one at Limehouse. Both parties adhered obstinately to their own views. Mr. Whately's arguments are not now known, but Howard has made public the grounds on which he based his choice.

That it had a healthy situation, and an abundant water supply, were amongst the most salient advantages. He considered it indispensable that the new prison should be built in London or close to it, because, being the first of its kind, and designed as a model for others in different parts of the kingdom, the success of the institution would depend largely on the constant attention of the persons named for its government. There could be no spot so suitable as Islington, except perhaps upon the banks of the Thames; but here Howard could not find what he required. A curious statement this, seeing that only a year or two later Jeremy Bentham bought, and at a cheap price, the lands in Tothill Fields, whereon the prison was subsequently built. The disputes between the supervisors continued for a couple of years. Persons were not indeed wanting to act as arbitrators, but their name was legion. Among them were included the Lord Chancellor, the Speaker of the House of Commons, the twelve judges, and the Lord Mayor. Naturally all hope of uniformity in action or opinion was quite out of the question. So Howard gave up the fight, and resigned his appointment. His friend

Fothergill was now dead, and he begged therefore to "decline all further concern in the business," though he had at one time thought that his observations upon similar institutions in foreign countries would have qualified him in some degree to carry out the scheme.*

It is indeed interesting to observe, at this distance of time, how thoroughly this great man understood the subject to which he had devoted his life. In his prepared plan for the erection of the prison he anticipates exactly the method we are pursuing to-day, after a century of experience. "The Penitentiary Houses," he says, "I would have built in a great measure by the convicts. I will suppose that a power is obtained from Parliament to employ such of them as are now at work on the Thames, or some of those who are in the county gaols, under sentence of transportation, as may be thought most expedient. In the first place, let the surrounding wall, intended for full security against escapes, be completed, and proper lodges for the gatekeepers. Let temporary buildings of the nature of barracks be erected in some part of this enclosure which will be wanted the least, till the whole is finished. Let one or two hundred men, with their proper keepers, and under the direction of the builder, be employed in levelling the ground, digging out the foundation, serving the masons, sawing the timber and stone; and as I have found several convicts who were carpenters, masons, and smiths, these may be employed in their own branches of trade, since such work is as necessary and proper as any other in which they can be engaged. Let the people thus employed chiefly consist of those whose term is nearly expired, or

* State of Prisons, i. p. 226.

who are committed for a short term; and as the ground is suitably prepared for the builders, the garden made, the wells dug, and the building finished, let those who are to be dismissed go off gradually, as it would be very improper to send them back to the hulks or gaols again."*

Suggestions such as these may have seemed far fetched to those to whom they were propounded; but that his plan of action was simple and feasible, is now most satisfactorily proved. Elam Lynds, the celebrated governor of Sing-Sing prison, in the State of New York, acted precisely in this manner, encamping out on the open with his hundreds of prisoners, and compelling them in this way to build their own prison-house, cell by cell, as bees would build a hive. De Tocqueville, commenting on this seemingly strange episode of prison history, observes that "the manner in which Mr. Elam Lynds built Sing-Sing would no doubt raise incredulity, were not the fact quite recent, and publicly known in the United States. To understand it we have only to realize what resources the new prison discipline of America placed at the disposal of an energetic man."†

But the practice is precisely similar to that which we pursue now when new convict prisons are constructed in this country, and an actual example may at this moment (1875) be seen in the immediate neighbourhood of London.

The scheme for the national penitentiary was not suffered to fall to the ground because Howard declined to act. New supervisors were appointed—Sir Gilbert Eliot (afterwards Lord Minto), Sir Charles Bunbury, and Mr. Bowdler—who

* State of Prisons, i. p. 221.

† Beaumont and De Tocqueville's Visit to the States.

took up the task where their predecessors had left it. This choice of a suitable site was surrounded by many difficulties. A portion of Wandsworth Fields was at length selected as seeming to fulfil the required conditions; but no sooner was the spot reported to the Lord Chancellor for approval, than an agitation was set up in the neighbourhood to protest against the introduction of a prison into those parts. People possessing landed property thereabouts had sufficient influence to secure the rejection of the site, and the supervisors, after a further search, fixed upon certain lands at Battersea Rise, seventy-nine acres in extent, which, as the proprietors held out for terms, were eventually assessed by a jury at the sum of £6600.

And now everything was in fair working order. Plans for the new buildings were actually prepared, and operations about to commence, when the Government suddenly decided to suspend further proceedings. The principle of transportation had never been entirely abandoned. Western Africa had indeed been selected for a penal settlement, and a few convicts sent there in spite of the deadly character of the climate. But the statesmen of the day had fully recognised that they had no right to increase the punishment of inprisonment by making it also capital; and the Government, despairing of finding a suitable place of exile, were about to commit themselves entirely to the plan of home penitentiaries, when the discoveries of Captain Cook in the South Seas drew attention to the vast territories of Australasia. Everything spoke in favour of the adoption of this island continent as a penal colony; it was healthy, remote, and it was believed to possess within itself undefined but inexhaustible elements of wealth. There was no doubt

much to recommend the scheme of transportation. As it then presented itself it must have possessed irresistible attractions even to minds philosophic and acute. The criminal, removed to a mysterious distance from old haunts and dangerous associates, was to be punished by exile; but at the same time he was encouraged to make a new start in life and in a new country, where, safe from competition, reclaimed and industrious, he might win rich harvests from the virgin soil. It might reasonably be expected that eventually a large and prosperous community would arise in the antipodes, capable of absorbing all the criminality of Britain. Of the varying fortunes of this new settlement I shall have occasion to speak hereafter, and we shall then be able to judge by practical results the dictum of a learned writer, who years before had declared that "the effect of banishment, as practised in England, is often beneficial to the criminal, and always injurious to the community." *

Embarking hotly on the new project, the Government could not well afford to continue steadfast to the principle of penitentiaries, and the latter might have fallen to the ground altogether, but for the interposition of Jeremy Bentham. This remarkable man published, in 1791, his "Panopticon, or the Inspection House," a valuable work on prison discipline, and followed it, in 1792, by a formal proposal to erect a prison on the plan he advocated. His scheme was so peculiar that it deserves to be described, more especially as the present Millbank Penitentiary is often supposed to have grown out of his proposal. As a matter of fact, however, except in the selection of site

* Eden: Principles of Penal Law, p. 33.

and the purchase of the ground on which the prison now stands, Bentham was in no way connected with Millbank. Bentham states in his proposal that, "having turned his Thoughts to the Penitentiary System from its first origin, and having lately contrived a Building in which any number of Persons may be kept within Reach of being Inspected during every Moment of their Lives, and having made out, as he flatters himself, to Demonstration, that the only eligible mode of managing an Establishment of such a Nature in a Building of such a construction would be by Contract, has been induced to make public the following proposal for maintaining and employing Convicts in general, or such of them as would otherwise be Confined on Board the Hulks, for twenty-five per cent. less than it Costs Government to maintain them there at present; deducting also the Average Value of the Work at present performed by them for the Public; upon the Terms of his receiving the Produce of their Labour."* Upon these terms he engaged as follows:—

"1. To furnish the prisoners with a constant supply of wholesome food not limited in quantity, but adequate to each man's desires.

2. To keep them clothed in a state of tightness and neatness superior to what is usual even in the improved prisons.

3. To keep them supplied with beds and bedding competent to their situations, and in a state of cleanliness scarcely anywhere conjoined to liberty.

4. To ensure them a sufficient supply of artificial warmth and light.

5. To keep from them, in conformity with the practice so happily received, every kind of strong and spirituous liquor.

6. To maintain them in a state of inviolable though mitigated seclusion, in assorted companies, without any of those opportunities of promiscuous association which in other places disturb, if not destroy, whatever good effect can be expected from occasional solitude.

* Report of Select Committee on Police and Convict Establishments, 26 June, 1798. Appendix E.

7. To give them an interest in their work by allowing them a share in the produce.
8. To turn the prison into a school; thereby returning its inhabitants into the world instructed in the most useful branches of vulgar learning, as well as in some trade or occupation whereby they may afterwards earn their livelihood."

These are a few of the engagements into which he entered; but there were others. He bound himself to provide his prisoners with spiritual and medical assistance; to insure them work on discharge by fitting up a subsidiary establishment, where they would labour on at the trades they learnt in prison; and to lay by for them (out of their earnings) "the foundation-stone of a provision for old age upon the plan of the annuity societies." To the Crown and to the public he was equally profuse in his promises. For every prisoner who might escape from his custody he agreed to be mulcted a certain penal sum; and to compel him to be careful of their health he bound himself to forfeit a sum of money for every one who died over and above a certain rate, "grounded on an average of the number of Deaths, not among imprisoned Felons, but among persons of the same ages in a state of Liberty within the Bills of Mortality."* He was ready moreover to be personally responsible for the reformatory efficacy of his management, and even to make amends, in most instances, for any accident of its failure, by paying a sum of money for every prisoner convicted of a felony after his discharge, at a rate increasing according to the number of years he had been under his (Jeremy Bentham's) care. For one year the

* This was eventually arranged by a bargain of the nature of an insurance, by which the Government promised to pay £4000 per annum for 1000 persons, on condition that he should pay £100 for every death which should take place within the year above 40.

fine was £10, and £5 for every additional year up to £30, which was the outside limit; but the money was to be paid immediately on conviction, and to be applied to the indemnification of the sufferers by the felony.

Finally, by "neatness and cleanliness, and Diversity of Employment, by Variety of Contrivance, and above all by that Peculiarity of Construction, which, without any unpleasant or hazardous vicinity, enables the whole Establishment to be inspected at a view from a commodious and insulated Room in the centre, the Prisoners remaining unconscious of being thus observed, it should be his study to render it a spectacle such as Persons of all Classes would, in the way of amusement, be curious to partake of; and that not only on Sundays at the time of Divine Service, but on ordinary Days at Meal Times or Times of Work; providing thereby a System of Superintendence, universal, unchangeable, and uninterrupted, the most effectual and indestructible of all securities against abuse." The outlines of the plan on which this model prison was to be constructed were also indicated in Mr. Bentham's memorandum:—"A circular building, an iron cage, glazed, a glass lantern as large as Ranelagh, with the cells on the outer circumference,"—such was his main idea.* Within, in the very centre, an inspection station

* Bentham claimed for his plan that it would be found applicable to all kinds of establishments, no matter how different or even opposite the purpose. "Whether it be that of punishing the incorrigible, guarding the insane, reforming the vicious, confining the suspected, employing the idle, maintaining the helpless, curing the sick, instructing the willing in any branch of industry, or training the rising race in the path of education; in a word, whether it be applied to the purposes of perpetual prisons in the room of death, or prisons for confinement before trial, or penitentiary houses, or houses of correction, or workhouses, or manufactories, or madhouses, or hospitals, or schools."—Bentham's Works, iv. p. 40.

was so fixed that every cell and every part of a cell could be at all times closely observed; but, by means of blinds and other contrivances, the inspectors were concealed, unless they saw fit to show themselves, from the view of the prisoners; by which "a sentiment of a sort of invisible omnipresence" was to pervade the whole place. There was to be "solitude or limited seclusion *ad libitum;*" but, unless for punishment, limited seclusion in assorted companies was to be preferred. As we have seen, Bentham proposed to throw the place open as a sort of public lounge, and to protect the prisoners from ill-treatment they were to be enabled, by means of tubes reaching from each cell to the general centre, to hold conversations with the visitors. "The superintendence thus bestowed," says Mr. Bentham in his evidence before the Committee on Penitentiary Houses, in 1811, "by a promiscuous assemblage of unknown, and therefore unpaid, ungarbled, and incorruptible inspectors, or in a word, by the public at large — that is, by such individuals as curiosity and the love of amusement (the most universally operative springs of action that apply to such a case), mixed with any better and rarer motives, may happen to attract—this is what, from first to last, I have all along spoken of as being among my principal dependencies, viz., for security against abuse and imperfection in every shape; but the banquet offered to curiosity will be attractive in proportion to the variety, and, if such a term may be here endured, to the brilliancy of the scene." Mr. Bentham intended, I believe, to light up the prison at night by reflection.

In theory Bentham's project may read well; but it is to be feared that in execution it would have been found imprac-

ticable. It met with an enthusiastic reception, however, and was warmly embraced by Mr. Pitt, and Lord Dundas, the Home Secretary. Nevertheless, secret influences hindered its adoption,* and it was not till 1794 that an Act was passed containing a draft of the contract between Bentham and the Treasury. A prison to contain a thousand convicts, together with the necessary chapel, storehouses, warehouses, and quarters for officials, was to be built according to the agreement for £19,000. The whole edifice Bentham contracted to run up within twelve months of the time that he was put in possession of the ground. For each convict in his charge up to a thousand he was to receive £12 per annum, over that £18; but in addition to this he was to become invested with the right to retain and apply to his own use the produce of, and profit upon, the labour of all the prisoners. He himself, or his brother, Samuel Bentham, who was a general in the Russian service, was to be nominated governor; and touching this appointment Bentham writes, "The station of gaoler is not in common account a very elevated one; the addition of contractor has not much tendency to raise it. He (Bentham) little dreamt when he first launched into the subject, that he was to become a suitor, and perhaps in vain, for such an office. But Inventions unpractised might be in want of the Inventor, and a situation thus clipped of emoluments while it was loaded with obligation might be in want of candidates. Penetrated therefore with the importance of the end, he would not suffer himself to see anything unpleasant or

* It has been said that personal hostility towards Bentham, because he was such a radical, led George III. to throw cold water upon the project of the Panopticon.

discreditable in the means." Mr. Bentham seems to have hoped to make his new business one of considerable profit. His brother, the general, had invented a plan of executing by machinery, "without the aid of either dexterity or goodwill, the most considerable branches of wood work, besides many branches of stone work, and metal work," * and the two Benthams were on "the look out for a steam engine," when it seemed to Jeremy that convict labour would form an admirable substitute. "Neither goodwill nor dexterity" could be counted upon "when dealing with the prisoners."

According to this Act above mentioned the sum of £2000 was advanced to Mr. Bentham, in order that he might make the necessary preparations. Four years later we find the project still hanging fire.† The preparations had been made; cast iron work, intended for the framework of the Panopticon, had been ordered to the amount of the whole £2000, and a great portion of it had been delivered; and Bentham was otherwise out of pocket to the extent of £9000. In the interval too, the capital that was to have set the new invention "agoing" was "gone." "My brother's whole time," Bentham states, "is engrossed by his official situation,‡ and at my time of life, and after my experience, it is now too late for me to return to a manufacturing speculation into which no prospect of ordinary advantage would even then have tempted me." He clearly looked for indemnification, but was yet indisposed to relinquish his scheme. Before the same committee he gave evidence as to the site he proposed to purchase, that decided upon by the first supervisors at Battersea Rise having been, for some reasons not

* Exam. of J. Bentham, Parl. Rep. 1811. Appendix G. † Ibid.

‡ As Commissioner for the Navy.

now apparent, abandoned. The new situation was a part of Tothill Fields, lying on both sides of the present Vauxhall-bridge Road, and amounting in all to fifty-three acres. The advantages of the site were chiefly its vicinity to the metropolis, and to water carriages—two points it will be remembered that were insisted upon by Howard, prompt communication with markets and ready inspection being considered indispensable. Eventually this land was purchased from Lord Salisbury for £12,000, and conveyed to Jeremy Bentham as feofee for the crown. But the undertaking still languished on from year to year. These were stirring times, when amidst the bitter strife of political parties, invasion threatened, and the "Corsican" kept all the world in dread.

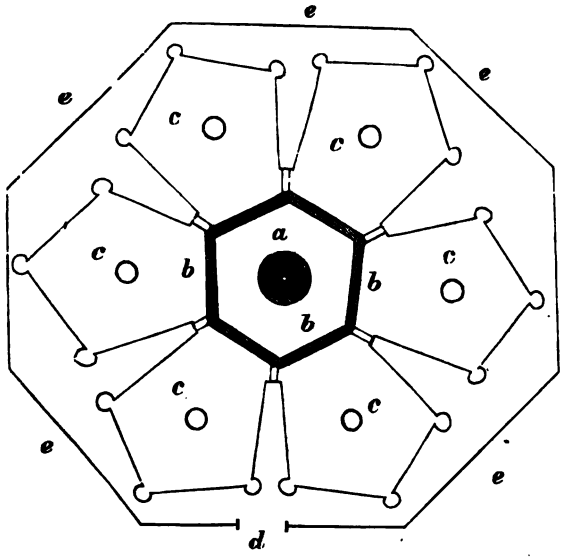
Still, in 1810, active steps were taken to re-open the question, thanks to the vigour with which Sir Samuel Romilly called public attention to the want of penitentiaries. Nothing now would please the House of Commons but immediate action; and this eagerness to begin is in strange contrast with the previous long years of delay. But Mr. Ryder, the Home Secretary, gained his point that a committee should first inquire fully into the matter. George Holford, Esq., M.P., was chairman of this committee, and among its number were Mr. Ryder, Sir Samuel Romilly, Mr. Wilberforce, Sir Charles Long, and Sir Evan Nepean. Their report, which was laid upon the table in May, 1811, fully recognised the importance of attempting reformation by the seclusion, employment, and religious instruction of prisoners, but disapproved of the Panopticon scheme, inasmuch as it depended upon the personal character of one man, and the favourable opinion entertained of the con-

struction of the building proposed by him, rather than upon the principles on which prisons had hitherto been conducted; and they pointed out that under its provisions the management of the convicts might in course of time pass out of the hands of the original contractor, while there was no guarantee of similar good qualities, or of similar capacity, in the superintendent who might from time to time be appointed to succeed him. The committee therefore was disposed to follow rather in design the original proposals of Howard than the later plans and suggestion of Bentham.

These proposals having been developed with considerable success, but on a small scale, first at the Gloucester Penitentiary House, established in 1791, and later in the House of Correction at Southwell, the committee recommended the immediate erection of a penitentiary for the counties of London and Middlesex. A part of the business of this committee had been the settlement of Mr. Bentham's outstanding claims, arising from the non-performance of the contract to which I have already referred. It now appeared that the £19,000, which had been considered quite sufficient by Mr. Bentham for the whole of his Panopticon, was really far short of the mark. Bentham stated that he had grounded his estimate on the assurances of an architect since deceased, and he was not disposed now to carry out his bargain. Still less was he prepared to be satisfied with £12 per annum for any prisoners of whom he might take charge. These alterations in his original scheme are interesting as showing to some extent its theoretical and unpractical character. But it was not contemplated to reopen negotiations with Bentham, except in so far as he was

entitled to remuneration for his trouble and original outlay. Eventually his claims were referred, by Act of Parliament, to arbitration, and so settled. The same Act empowered certain supervisors to be appointed, hereafter to become possessed of the lands in Tothill Fields, which Bentham had bought on behalf of the Government. These lands were duly transferred to Lord Farnborough, George Holford, Esq., M.P., and the Rev. Mr. Becher, and under their supervision the Millbank Penitentiary as it now stands was commenced and finished.

THE SITE OF MILLBANK IN 1803.



GROUND PLAN OF MILLBANK PENITENTIARY.

a Chapel. *b* Hexagon.
c Pentagons. *d* Entrance.
e Boundary Wall.

CHAPTER II.

THE BUILDING OF THE PENITENTIARY.

THE lands which Bentham bought from Lord Salisbury were a portion of the wide area known then as Tothill Fields; speaking more exactly, they lay on either side of the present Vauxhall-bridge Road. This road, which was constructed after the purchase, intersected the property, dividing it into two lots of thirty-eight and fifteen acres respectively. It was on a slice of the larger piece that the prison was ultimately built, on ground lying close by the river. This neighbourhood, now known as an outskirt of Pimlico, was then a low marshy locality, with a soil that was treacherous

and insecure, especially at the end towards Millbank Row. People were alive only a year or two ago, who had shot snipe in the bogs and quagmires round about this spot. A large distillery, owned by a Mr. Hodge, stood near the proposed site of the prison; but otherwise these parts were but sparsely covered with houses. Bentham, speaking of the site he purchased, declared that it might be considered "in no neighbourhood at all." No house of any account, superior to a tradesman's or a public-house, stood within a quarter of a mile of the intended prison, and there were hereabouts already one other prison, and any number of almshouses, established at various dates. Of these the most important were Hill's, Butler's, Wicher's, and Palmer's—all left by charitable souls of these names; and Stow says, that Lady Dacre also, wife of Gregory Lord Dacre of the South, left £100 a year to support almshouses which were built in these fields "more towards Cabbage Lane." Here, also, stands the Green Coats Hospital, erected by Charles I., but endowed by Charles II. for twenty-five boys and six girls, with a schoolmaster to teach them. "Adjoining this hospital" (I am still quoting Stow) "is a bridewell, a place for the correction of such loose and idle livers as are taken up within the liberty of Westminster, and thither sent by the Justices of the Peace, for correction—which is whipping, and beating of Hemp (a punishment very well suited for idlers), and are thence discharged by order of the Justices as they in their wisdom find occasion." Again, Stow remarks: "In Tothill Fields, which is a large spacious place, there are certain pest-houses; now made use of by twelve poor men and their wives, so long as it shall please God to keep us from the Plague. These Pest-houses are built near the Meads, and remote from people." Hospitals, bridewells,

alms and pest-houses—these, the chief occupants of these lonely fields, formed no unfitting society for the new neighbour that was soon to be established amongst them.

As the prison, when completed, took its name from the Mill Bank, that margined the Thames close at hand, I must pause to refer to this embankment. I can find no record giving the date of the construction of this bank, which was no doubt intended to check the overflow of the river, and possibly, also, to act as one side of the mill-race, which served the Abbot of Westminster's mill. This mill, which is in fact the real sponsor of the locality, is marked on the plan of Westminster from Norden's survey, taken in Queen Elizabeth's reign, in 1573. It stands on the bank of the Thames, almost opposite the present corner of Abingdon and Great College Streets; but it is not quite clear whether it was turned by water from the river, brought along Millbank, or by the stream that came from Tothill Street, which, taking the corner of the present Rochester Row, flowed along the line of the present Great College Street, and under Millbridge to the Queen's slaughter-house. "The Millbank," says Stow,* "is a very long place, which beginneth by Lindsey House, or rather by the Palace Yard, and runneth up to Peterborough House, which is the farthest house. The part from against College Street unto the Horse Ferry hath a good row of buildings on the east side, next to the Thames, which is mostly taken up with large wood-mongers' yards, and Brew-houses; and here is a water house which serveth this side of the town; the North Side is but ordinary, except one or two houses by the end of College Street; and that part beyond the Horse Ferry hath a very good row of houses, much inhabited by the gentry, by

* Book vi. p. 66.

reason of the pleasant situation and prospect of the Thames. The Earl of Peterborough's house hath a large courtyard before it and a fine garden behind it, but its situation is but bleak in the winter, and not over healthful, as being so near the low meadows on the South and West Parts." But it was on one edge of these low, well-wooded meadows that Millbank Penitentiary was by-and-by to be built.

So much for the antiquities of the place. After careful consideration of the various advantages and disadvantages of the site, the new supervisors were content to abide by the choice Bentham had made. It was something to have a place ready to hand. The difficulty of making suitable selection had been felt on previous occasions, and the supervisors were by no means disposed to waste further time upon a new search. Moreover, no opposition was to be feared from those who resided near the spot. The dwellers round about were hardly of a class to secure attention to their complaints, even if they had been minded to resist the establishment of a prison in their midst—which they were not. Besides, it had been known for years that this prison was meant to occupy these lands; therefore those who had not objected already could hardly do so now after so great a lapse of time. The spot was deemed healthy, nothing to the contrary having then transpired; and in situation was convenient, lying as it did close to London and to the great highway of the Thames. Accordingly, upon the 12th June, 1812, the three supervisors, having met at the State Paper Office, proceeded to business.

Their first act was to decide upon the plan for the new buildings. This had been thrown open to competition by public advertisement; and a reward was offered for the

three best tenders. Forty-three were sent in, and the first prize was gained by Mr. William Williams, of No. 11, Tichborne Street, Golden Square. His design, however, was not considered perfect, and the supervisors reserved to themselves the right to make such changes as might appear desirable. The revised drawings, prepared by Mr. Williams, were subsequently submitted to Mr. Hardwicke, the appointed architect, a gentleman of reputation in his profession, who had already gained a prize for designing a female prison. This had happened at the time when the erection of penitentiaries under Geo. 3, c. 19, had been in agitation. Mr. Hardwicke gained the prize for a female prison; that for a male prison was carried off by Mr. Blackburn, an architect of eminence, who had built or rebuilt half the county gaols in the kingdom. Mr. Hardwicke's remuneration was fixed at a commission of 2½ per cent. on the value of all work done, or upon the estimated cost of the buildings. This estimate, according to a statement from Mr. Hardwicke,* amounted to £259,725, but a further sum of £42,690 was also required for the foundations. Accommodation was to be provided at this price for 600 prisoners, male and female, in equal proportions; and the whole building was intended solely for the confinement of offenders in the counties of London and Middlesex. It was at that time contemplated to erect a number of other similar prisons in various parts of the country, but the establishment of these "district" or, as they were to be styled, "circuit" prisons, was ultimately abandoned on the score of expense. By subsequent decisions, arrived at after the work was first undertaken, the

* Supervisors' Minute Book, 1812.

size of Millbank grew to greater proportions, till it was ultimately made capable of containing, as one great national penitentiary, "all such transportable convicts as were not sent abroad or confined in the hulks." Of course its cost increased *pari passu* with its size. By the time the prison was finally completed, the total expenditure had risen as high as £458,000. And over and above this enormous sum, the outlay of many additional thousands was needed within a few years, for the repairs or restoration of unsatisfactory work.

In order that future references and descriptions may be intelligible to the reader, and before proceeding to record the details of construction, it may be well to describe at once the appearance of the building when actually finished, and as it stands, in fact, at the present day.

"The Penitentiary," as it is still commonly called, looks on London maps like a six-pointed star-fort; built, say, against catapults and old-fashioned engines of war. The central point is the chapel, a circular building which, with the open space around it, covers rather more than half an acre of ground. A narrow building, three storeys high, and forming a hexagon, surrounds the chapel, with which it is connected at three points by covered passages. This chapel and its annular belt, the hexagon, forms the omphalos of the whole system. It is the centre of the circle, from which the several bastions of the star-fort radiate. Each of these salients is in shape a pentagon, and there are six of them, one opposite each side of the hexagon. They are built three storeys high, on four sides of the pentagon, having a small tower at each external angle; while on the fifth side a wall about nine feet high runs parallel to the adjacent hexagon.

In these pentagons are the prisoners' cells, while the inner space in each, in area about two-thirds of an acre, contains the airing yards, grouped round a tall, central watch-tower. The ends of the pentagons join the hexagon at certain points called junctions. The whole space covered by these buildings has been estimated at about seven acres; and something more than that amount is included between them and the boundary wall, which takes the shape of an octagon, and beyond which was a moat now filled up.

Such is a general outline of the plan of the prison. Any more elaborate description might prove as confusing as is the labyrinth within to those who enter without such clues to guide them as are afforded by familiarity and long practice. There was one old warder who served for years at Millbank, and rose through all the grades to a position of trust, who was yet unable, to the last, to find his way about the premises. He carried with him always a piece of chalk, with which he "blazed" his path, as does the American backwoodsman the forest trees. Angles every twenty yards, winding staircases, dark passages, innumerable doors and gates,—all these bewilder the stranger, and contrast strongly with the extreme simplicity of modern prison architecture. But indeed Millbank, with its intricacy and massiveness of structure, is suggestive of an order that has past. It is one of the last specimens of an age to which Newgate also belongs; a period when the safe custody of criminals could be compassed, people thought, only by granite blocks and ponderous bolts and bars. Such notions were really a legacy of mediævalism, bequeathed by the ruthless chieftains, who imprisoned of-

fenders within their own castle walls. Many such keeps and castles still exist as prisons, for in the lapse of time they have ceased to be great residences, and serve now almost exclusively as gaols or houses of correction for their immediate neighbourhood. They seem to us now-a-days clearly out of date; yet not a hundred years ago prison architects looked upon them as models of prison construction, and, not unnaturally, based all their designs on a similarly substantial style. In these matters modern experience has worked an entire revolution. Moral supervision has, to a certain extent, replaced mere physical restraint. It is found that prisoners can be more effectually guarded by warders of flesh and blood than by huge senseless stones and purely passive chains, provided only that there is above all the sleepless eye of a stringent systematic discipline. The great and satisfactory results that can be obtained by a full recognition of this principle, I shall hope to show when I come to describe the building now (1875) in progress upon Wormwood Scrubs, by which Millbank Prison is eventually to be replaced.

But to return to the supervisors in the year 1812. I have said that the original estimate prepared by Mr. Hardwicke, the architect, amounted to £259,725. The following is a detail of the cost of each item:—*

	£
Chapel in centre	9,671
Hexagon, three storeys high, with governor's, chaplain's, surgeon's, and other quarters	30,122
Six pentagons, with cells, work-rooms, towers, &c., at £28,422 each	170,532
Carried forward ...	£210,325

* Supervisors' Minute Book.

	£
Brought forward ...	210,325
Boundary wall, 17 ft. high from ground level and 10 ft. below	10,500
Lodge and gateway at entrance	4,500
Stoves for heating	8,400
Sewers and drains	5,000
Planking for foundations	5,000
Raising ground in all the courts	6,000
Fitting up, and clerk of works	5,000
Unforeseen expenses	5,000
Total ...	£259,725
Additional for the foundations	£42,690

The first part of the work set on foot was the boundary wall, which was commenced towards the end of 1812, the contractors being Messrs. Want & Richardson, who had already built the Military College at Sandhurst, and Covent Garden Theatre under Mr. Copeland. In the spring of 1813 contracts were entered into for the erection of the first pentagon, the foundations of which were in progress by June of that year. It was well known that the soil at Millbank was of such a nature as to render the establishment of a solid edifice thereon a matter of great difficulty and expense. The supervisors, fully alive to this, gave the matter their earliest and closest attention. The site was examined by them in January, 1812, when strong clay was discovered at no great distance from the surface. On the other hand, a Mr. Cook, temporary lessee of the ground, declared that Bentham had bored a distance of fourteen feet and found nothing but loose soil and peat, utterly unfit to support the proposed superincumbent weight of buildings, and that the ground had been condemned accordingly. Upon this the supervisors in May again

examined for themselves, and had a deep hole dug, by which means they came upon a bed of tenacious clay eight feet in thickness. Mr. Cook then, to save his judgment, stated that the strata were uncertain; in one place clay, in another peat or gravel; and such, by new borings, was found to be the case. Planking was now proposed as a "substruction;" but before finally deciding, the supervisors visited Bethlehem Hospital ("Bedlam"), just then in course of erection, in St. George's Fields, and found that in uncertain spots the foundations were supported on broad flags of Yorkshire stone.

About this time an architect of Blackheath, Mr. Alexander, came forward and offered to contract for the foundations, on a new and mysterious method of his own, which was to be "independent of piles, planking, and brick piers or arches." The supervisors declined to adopt a scheme which was veiled in so much secrecy, notwithstanding Mr. Alexander's assurance that his plan would not be "subject to any alteration by floods, damp, heat, frost, or any failures by time; and that it should be neither pervious to vermin (rats, etc.), nor liable to be undermined by prisoners." Nevertheless, the supervisors were honestly anxious to put this important preliminary on a thoroughly satisfactory basis, and, having first experimented for themselves with various materials, all heavily weighted with from two to three hundred tons, they requested Mr. Hardwicke to consult a number of eminent engineers and architects. These gentlemen — Messrs. Rennie, Lewis, Cockerell, and Browne—having examined the site, reported that by boring seven to twelve feet down below the existing surface they had found the substrata to consist of alluvial

soil, made up of "vegetable earth, light clay, and more-log," after which came a sound bed of gravel. They were of opinion therefore that the earth under the actual site of the proposed buildings should be excavated down to this gravel, and that a mass of puddled walling, of a breadth exceeding that of the lines of buildings, should take the place of the excavated earth. The puddled walling was to consist of "gravel or ballast only, having perpendicular sides cast and mixed in lime-water, with a small quantity of sand; and upon this foundation the prison walls could be erected with security." No such precautions were deemed necessary for the boundary wall; as the weight was slight, a rubble foundation wall of stone, rammed and two feet deep, would be sufficient. The outer lodge and gateway were to be built on a plan suggested by Mr. Hardwicke, partly on an artificial rubble mound and partly on piles. All these points are important, as will be seen later on.

Drainage and water supply were two questions that came up early for decision. To provide the water, Mr. Braithwaite, the engineer, was called in, who proposed two methods—either to lay on Thames water through a six or seven inch main, storing it in a central reservoir to be filled every tide, or to sink a deep well to a certain main-spring which he had discovered, and which was certain to furnish an ample supply of the finest soft water. In both cases engines would be required to raise the water to the level of the cisterns at the top of the proposed buildings. The latter of these methods was adopted in the first instance, but it was afterwards found necessary to have recourse instead to the Thames, because

Mr. Braithwaite on analysis found the spring water impure. For the purposes of drainage permission was given for the commissioners of sewers for the city of Westminster to do away with all open ditches, and substitute a main drain from the proposed site through the embankment and into the river. Apprehension was entertained lest the lowlands should be flooded when the embankment was cut through, and a proviso in the agreement ruled that no opening should be made till the ground area of the new works had actually been raised.

It very soon became apparent that the ground on which they were to build was too treacherous to be much depended upon. The part of the boundary wall nearest the Thames, which was now six feet high, sank, and was thrown out of the upright. It had been built on a very thin substratum of clay, and, like the rest of the wall, had very insufficient foundations. This part had therefore to be taken down and rebuilt, care being taken to dig first as far down as the gravel and fill up with puddled walling,—gravel or ballast mixed with lime. All the other portions of the boundary wall had to be similarly treated. The lodge also, which was to be executed by Messrs. Joliffe & Banks, as contractors, soon gave great trouble. The soil being here extremely soft and boggy, the builders had proceeded by driving piles. On these the walls were raised a height of five feet all round, the boundary wall being built at the same time and regularly tied into each course at either end of the lodge. Just at this time, however, the other portions of the work were drained of water by a steam pump, and the peat thus deprived of water, all the surface of the marsh sank some nine inches. The masonry be-

tween the piles intended to carry the lodge walls sank also, and the building rested only on the bare piles. These might have sufficed to support the lodge, but the boundary wall which was tied in it also sank, as we have seen, and the lodge was bound to go too. This was the contractors' story; but on examination it was found that the piles had not been driven deep enough, and others of greater length and more numerous were substituted. Notwithstanding the pains thus taken the lodge continued for years after it was built to be in an unsatisfactory state, and it had eventually to be in part taken down, when all the piles and planking were found to be entirely decayed.

Towards the end of 1813 Mr. Hardwicke resigned his appointment, giving as his ostensible reason that the management of this extensive concern took up more time than he could spare from his regular business; but it was really because he was dissatisfied with the remuneration originally agreed upon, which was at the rate of 2½ per cent. on all sums that passed through his hands. Mr. Hardwicke wanted 5 per cent., as did another eminent architect to whom the supervisors applied as soon as the place became vacant. Eventually a Mr. Harvey fell in with the terms proposed: "a person of less note in his profession, but who had been employed in some works on unsound ground, and was supposed to possess more experience on that subject than many architects of greater general knowledge." * Mr. Harvey's first proposition was to give greater security to the foundations by laying strong flat stones under all walls; but later, three courses of brickwork, laid in Parker's cement, were used for this purpose instead,

* Holford's General Penitentiary, p. 29.

because stone was not easily procured. It was now the spring of 1814; a full year had elapsed since the commencement of the work, and already, although no part of the prison house was as yet begun, and the lodge and boundary walls were still unfinished, £26,000 had been disbursed in one way or another.

While fully crediting the supervisors with every desire to do justice to the work in hand, it is impossible to read their minutes without observing that they proceeded in a liberal open-handed fashion, as gentlemen do who are dealing with money supplied from a liberal purse. They were evidently anxious to do their job well; and the stout substantial building they erected is the best testimony, as it stands to this day, to the pains they took. But the article was dear; and long before it reached completion the tax-payers grumbled not a little at the cost. In the earlier years, however, the Treasury issued money with a readiness that accords little with modern notions of economy. In May, 1814, replying to Mr. Lushington, the supervisors announced that they had spent £30,000, and would want £45,000 more before the next session of Parliament; expressing a hope, however, that by the following spring the works would be sufficiently advanced to admit of the confinement of one hundred convicts in the prison. In the following November they notified that an additional £60,000 would be required during the ensuing years, when the total expenditure would include the building of the lodge, boundary wall, and two pentagons, with their corresponding parts of the hexagon. It is but just to state that the details of disbursements show that there was no great increase in the actual cost of building the lodge and outer

walls over the original estimate. All the money went in the pentagons, which must have cost quite £50,000 apiece. However, in March, 1816, when the first was completed and nearly ready for occupation, the supervisors found they would have more room than was anticipated, and that with but little variation in the plans, the buildings when completed could be made to contain eight hundred prisoners. A fresh Act of Parliament was issued giving the necessary authority, but already it would appear as if the House of Commons was turning restive about the expenditure on Millbank. More than two years had elapsed since the commencement of the work, and so far the only apparent results were continual demands for money. Accordingly, we find that in May the House ordered that an account of all sums already spent, and of all that would hereafter be required, should be laid upon the table. By this statement it appears that £128,304 had been already spent, and that a further sum of £228,813 would still be required.*

This total of £350,117 is indeed considerably in excess of the original estimate made by Mr. Hardwicke, which amounted to £259,420. But when people take to building the bill runs up often beyond all previous calculation. The supervisors were now paying the penalty for dabbling in bricks and mortar. No one who has waded through their lengthy minutes, and the voluminous correspondence which record the history of their proceedings, can underestimate their devotion or doubt their integrity. But their work, so to speak, ran away with them. It was as impossible to foresee all requirements as it was to forbid

* House of Commons' Journals, 23rd May, 1816.

indispensable outlay. Bramah locks, patent foundations, iron bedsteads for the prisoners, heating apparatus and water closets on the newest and most approved patterns—all these were in turns experimented upon, and generally, if found suitable, ordered, regardless of expense. Moreover other works beyond the prison walls fell upon the supervisors. For instance, they had to contribute to the embankment, and to the road that was lead to the New Vauxhall Bridge from the end of Millbank Row. In this way the expenditure grew like a snowball, and, as we shall see, even this increased sum of £350,000 by no means sufficed to complete the whole affair.

On the 9th February, 1816, however, the supervisors reported * to Lord Sidmouth, the Home Secretary, that the Penitentiary was now partly ready for the reception of offenders, and begged that a committee might be appointed to take charge of the prison, under the provisions of the 52 Geo. 3, cap. 44. By this Act the King in Council was empowered to appoint "any fit and discreet persons, not being less than ten or more than twenty, as and for a Committee to Superintend the Penitentiary House for the term of one year, then next ensuing, and until a fresh nomination or appointment shall take place." Accordingly, at the Court at Brighton, on the 21st Feb., 1816, His Royal Highness the Prince Regent in Council nominated the Right Hon. Charles Abbot, Speaker of the House of Commons, and nineteen others to serve on this committee, and it met for the first time at the prison on the 12th March following. The proceedings of the Committee of Management from the first meeting I reserve for another

* Minute Book, 9th Feb., 1816.

chapter, it being enough to record here the fact of its appointment. The Right Hon. Charles Long, George Holford, Esq., and the Rev. J. J. Becher, were among the members of the new committee, but they continued their functions as supervisors distinct from the other body, until the final completions of the whole building in 1821.

On the 27th June, 1816, the first batch of convicts—thirty-six females from Newgate—arrived. Others followed, and it seemed probable that by the end of the year the two first pentagons would both be fully occupied. In September, however, alarming symptoms of failure and settlement appeared in the building. Serious cracks and fissures opened in the walls of Pentagon No. 1, and the safety of the whole edifice was for a moment in question. This occurrence is thus recorded in the Governor's Journal:—

"*September* 21, 1816.—Arose at six o'clock in the morning in consequence of being informed that the passage gates of Pentagon No. 1, next the angle towers, were all fast and incapable of being unlocked by the turnkeys. Went there and found it was so, and that it was occasioned by all the three angle towers having sunk a little lower, which had cracked the arches and wall in several places. Gave immediate notice to the clerk of works, who came and inspected the places, and sent for Mr. Harvey the architect.

"Went again into the pentagon and found all the prisoners of Mrs. Todd's division under considerable fear and alarm, and that Ann Turner had just recovered from a fit, which I understood she is subject to. Talked to the prisoners and assured them there was no danger, and succeeded in pacifying them and quieting all further apprehension."

As soon as Mr. Harvey made his appearance he gave it as his opinion that the fractures were caused by the admission of the tide from the Thames, which had been let in a day or two previous to cleanse the prison drains. This was checked, and the effect closely watched. In the three following weeks there was no perceptible increase in the cracks; but for a time the reception of new prisoners was stopped, and advice sought of two eminent engineers and architects, Messrs. Rennie and Smirke. It is not now apparent whether these failures in the pentagons came on suddenly and without warning; but there must have been every reason for apprehension from the first, for the shifty uncertain character of the site had been proved by the necessity for taking down and rebuilding both lodge and boundary walls; and even as early as February, 1815, when the pentagon walls were as yet only a few feet high, cracks had appeared which could only be remedied by iron ties stretching quite across the building. The result of Messrs. Rennie and Smirke's examination of the site was to condemn the main sewer and the artificial foundations; the former had been negligently built, and the latter were too meagre to guarantee security. When the tide rose a large body of water made its way through imperfections in the sewer walls in among the loose strata below the buildings, and affected of course the superstructure. Besides this, the artificial foundation walls had been built so narrow—unwise economy in this one instance getting thus the better of safety—that they afforded no sufficient support for the weight of building above. It appeared to be immediately necessary to take down three of the pentagon towers, and to set on foot works to secure the other founda-

tions, both in the pentagons erected and those to come, by considerably increasing the brickwork footings to the main walls, and more effectually digging over and puddling the ground excavated to receive them. Taking into consideration too the importance of all these works, the supervisors resolved to appoint Mr. Robert Smirke to carry them into effect.

From this time forth the works progressed steadily. During 1817 the second pentagon was occupied by prisoners notwithstanding the settlement of its walls. In 1818 no further accommodation was rendered available, but a further statement of the expenditure incurred was in that year presented to the House of Commons. It now appeared that the total outlay has increased to £221,788; that a further sum of £64,000 would be required to complete the third and fourth pentagons, £4500 to rebuild the shaky towers, and an additional £90,000 for the remaining two pentagons and other contingencies. The grand total for all executed and projected works was now represented at £380,288, a rise of £30,000 over the second estimate of 1816, and of £130,000 over the first of 1812. But it was now estimated by Mr. Smirke that the buildings when completed could hold 1000 prisoners instead of 800. Next year the two new pentagons, the third and fourth, were finished and filled, so that the total prison population amounted, in December, 1819, to 325. At the end of 1820 the numbers rose to 551, though no fresh pentagon was opened; but in 1821 the fifth and sixth were finished, and the prison was practically completed. But other works lingered on for some time later. There were plumbers, painters, glaziers, paviors, locksmiths, and coppersmiths, busy inside till the middle of the

following year; the kitchen ranges had to be fixed, iron flues also, steam pipes, hot air stoves, and so forth. But on the 24th July, 1822, the supervisors closed their accounts, and the bill for the whole outlay was sent in to the Treasury. It amounted to £450,310, a further increase of £70,000 on the last estimate of 1819. It is to be regretted that the official records contain no allotment of the grand total to the various portions of the building. It would be interesting to observe how far the cost of each pentagon exceeded the estimate for it, but as all the bills and accounts are lumped together in the supervisors' minute book, it is impossible to separate the items. Undoubtedly the undertaking grew with its years, till at last the total cost seemed quite disproportioned to its first promise or intention.

But Millbank Penitentiary was the first building of its kind, and those who erected it had to contend with many serious difficulties. Not the least of these was the insecure character of the site. As we have seen, from first to last the foundations were a source of constant anxiety and attention. They were continually being doctored, and to an extent sufficient to justify the familiar saying, "that there is more stuff below, than above ground at Millbank." But indeed every part of the prison, visible or invisible, is a mine of building wealth. Hidden amongst its hundreds of cells, its length of corridor and passage, beneath its acres of roof, are, without exaggeration, miles of lead piping, hundreds of tons of iron, immense iron girders, gates in dozens,—some of wrought iron, some of cast,—flagstones without end, shiploads of timber, millions of bricks. When the old place comes to be pulled down—if indeed

its fate is sealed—the curious inquirer may perhaps understand why it was that it cost half a million of money. But it will be less easy to explain why such an enormous outlay was rendered necessary in face of the fact that the new building that is to replace it, room for room and cell for cell, will hardly cost a fifth of that sum.

INNER GATE.

CHAPTER III.

EARLY MANAGEMENT.

THE Penitentiary Committee was appointed on the 12th February, 1816, by the Prince Regent in Council, but the first instalment of prisoners did not arrive till the 27th of July following. In the interval, however, there was plenty

of work to be done. The preparation of rules and regulations, the appointment of a governor, chaplain, matron, and other officials, were among the first of them; and the committee took up each subject with characteristic vigour. It was necessary also to decide upon some scale of salaries and emoluments;* to arrange with the Treasury as to the receipts, custody, and payments of the public moneys; and to ascertain the "sorts of manufactures best suited to the establishment, and the best method of obtaining work for the convicts, without having to purchase the materials."†

On the 10th of March Mr. John Shearman was appointed governor. This gentleman was strongly recommended by Lord Sidmouth, who stated in a letter to the Speaker that, having been induced to make particular inquiries respecting his qualifications and character, he had found them "well calculated for the office in question." Mr. Shearman's own account of himself was, that he was a native of Yorkshire, but chiefly resident in London; that he was aged forty-four, was married, had eight children, and that he had been brought up to the profession of a solicitor, but for the last four years had been second clerk in the Hatton Garden police office. Before actually entering upon his duties, the committee sent Mr. Shearman on a tour of inspection through the provinces, to visit various gaols, and report on their condition and management. In this way he inspected the prisons at Dorchester, Gloucester, Shrewsbury, Chester, Manchester, Liverpool, Lancaster, Southwell, and Lincoln, and the result of his inquiries appeared to be:—

* See Appendix A. † Minute Book of Committee, p. 14.

"1. That the system of Individual Separation was not carried into any effect except at the Gloucester Penitentiary.
2. That the habit of Industry tended much to the reformation of offenders.
3. That the labour of prisoners, though to a certain extent profitable, was not sufficient to defray the cost of their victualling.
4. That Solitary Confinement and the deprivation of food were found to be the usual and best punishment for prison offences.
5. That prisoners ought not to be permitted to associate, or to be brought together in large numbers, without being ironed or effectually secured.
6. That the agency of Females as to the government of Female Prisoners had not been tried."

Mr. Shearman eventually resigned his appointment, because he thought the pay insufficient, and because the committee found fault with his frequent absences from the prison. He seems to have endeavoured to carry on a portion of his old business outside, as solicitor, concurrently with his governorship. His journals show him to have been an anxious painstaking man, but neither by constitution nor training was he exactly fitted for the position he was called upon to fill as head of the Penitentiary.

At the same time, on the recommendation of the Bishop of London, the Rev. Samuel Bennett was appointed chaplain. Touching this appointment the bishop wrote, "I have found a clergyman of very high character for great activity and beneficence, and said to be untainted with fanaticism. . . . His answer is not yet arrived; but I think he will not refuse, as he finds the income of his curacy inadequate to the maintenance of a family, and is precluded from residence on a small property by want of a house and the unhealthiness of the situation."

Mr. Pratt was made house-surgeon, and a Mr. Webbe,

son to a medical man, and bred himself to that profession, was appointed master manufacturer; being of a "mechanical turn of mind, he had made several articles of workmanship, and he produced to the committee specimens of his shoemaking, paper screens, etc."

There was more difficulty in finding a matron. "The committee," writes Mr. Morton Pitt, "was fully impressed with the importance of the charge, and of the difficulty of finding a fit person to fill this most essential office." Many persons were of opinion that it would be "impracticable to procure any person of credit or character to undertake the duties of a situation so arduous and so unpleasant," and the fact that no one had applied for it was "strong proof of the prevalence of such opinions." Mr. Pitt goes on: "The situation is a new one. I never knew but two instances of a matron in a prison, and those were the wives of turnkeys or porters. In the present case it is necessary that a person should be selected of respectability as to situation in life. How difficult must it be to find a female educated as and having the feelings of a gentlewoman, who would undertake a duty so revolting to every feeling she has hitherto possessed, and even so alarming to a person of that sex."

Mr. Pitt had, however, his eye on a person to suit. "Mrs. Chambers appears to me to possess the requisites we want; and I can speak of her from a continued knowledge of her for almost 30 years, since she was about fifteen. Her father was in the law, and clerk of the peace for the county of Dorset from 1750 to 1790. He died insolvent, and she was compelled to support herself by her own industry, for her husband behaved very ill to her, aban-

doned her, and then died. She has learned how to obey, and since that, having kept a numerous school, how to command. She is a woman, 43 years of age, of a strong sense of religion and the most strict integrity. She has much firmness of character with a compassionate heart, and I am firmly persuaded will most conscientiously perform every duty she undertakes to the utmost of her power and ability."* Accordingly Mrs. Chambers was duly appointed.

The same care was exhibited in all the selections for the minor posts of steward, turnkeys male and female, messengers, nurses, porters, and patrols; and most precise rules† and regulations were drawn up for the governance of everybody and everything connected with the establishment. All these had, in the first instance, to be submitted for the approval of the Judges of the Court of King's Bench, and subsequently reported to the King in Council and both Houses of Parliament.

The supreme authority in the Penitentiary was vested in the superintending committee, who were required to make all contracts, examine accounts, pay bills, and make regular inspection of prison and prisoners. A special meeting of the committee was to be convened in the second week of each session of Parliament, in order to prepare the annual report. Under them the governor attended to the details of administration. He was to have the "same powers as are incident to a sheriff or gaoler,—to see every prisoner on his or her admittance;

* Letter to Com., Min. B. i. 27.

† Printed by Luke Hansard & Sons, near Lincoln's Inn Fields, 20th July, 1816.

to handcuff or otherwise punish the turbulent; to attend chapel; and finally, to have no other employment, other than such as belong to the duties of his office." The chaplain was to be in priest's orders, and approved by the bishop of the diocese, and to have no other profession, avocation, or duty whatsoever. Besides his regular Sunday and week-day services, he was to "endeavour by all means in his power to obtain an intimate knowledge of the particular disposition and character of every prisoner, male and female; direct them to be assembled for the purposes of religious instruction in such manner as may be most conducive to their reformation." He was expected also to "allot a considerable portion of his time, after the hours of labour, to visit, admonishing and instructing the prisoners," and to keep a "Character-Book," containing a "full and distinct account from time to time of all particulars relating to the character, disposition, and progressive improvement of every prisoner." Intolerance was not encouraged, for even then the visitation of ministers other than those of the Established Church was permitted on special application by the prisoners. Such ministers were only required to give in their names and descriptions, and "were admitted at such hours and in such manner as the Governor shall think reasonable, confining their ministrations to the persons requiring their attendance."* No remuneration was, however, to be granted to these additional clergymen. The duties prescribed for the house-surgeon were of the ordinary character, but in cases of difficulty he was to confer with the consulting physician and other non-resident medical men. The master manufacturer was to act as the

* Minute Book, p. 586.

governor's deputy if called upon, and was charged more especially with the control and manufacture of all materials and stores. It was his duty to make the necessary appraisement of the value of work done, and to enter the weekly "per-centage." The total profit was thus divided: three-fourths to the establishment, or 15*s.* in the pound; one twenty-fourth to the master manufacturer, the task-master of the pentagon, and the turnkey of the ward; leaving the balance of one-eighth, or 2*s.* 6*d.* in the pound to be credited to the prisoner.

For the rest of the officers the rules were what might be expected. The steward took charge of the victualling, clothing, etc., and superintended the cooking, baking, and all branches of the domestic economy of the establishment; the task-masters overlooked the turnkeys, and were responsible for all matters connected with the labour and earnings of the prisoners; and the turnkeys, male and female, each having charge of a certain number of prisoners, were to observe their conduct, extraordinary diligence, or good behaviour. The turnkey was expected to "enforce his orders with firmness, but shall be expected to act with the utmost humanity to all prisoners under his care. On the other hand, he shall not be familiar with any of the prisoners, or converse with them unnecessarily, but shall treat them as persons under his authority and control, and not as his companions or associates." The prisoners themselves were to be treated in accordance with the aims and principles of the establishment. On first arrival they were carefully examined by the doctor, cleansed, deprived of all money, and their old clothes burned or sold. Next, entering the first or probation class, they remained therein

for half the whole period of their imprisonment. Their time in prison was thus parcelled out: at daybreak or 5.30, according to the time of the year, they rose; cell doors opened, they were taken to wash, for which purpose "soap and round towels were provided;" after that to the working cells till 9 a.m., when they got their breakfast—one pint of hot gruel. At half-past nine to work again till half-past twelve; then dinner—for four days of the week six ounces of coarse beef, the other three a quantity of thick soup, and always daily a pound of bread made of the whole meal. For dinner and exercise an hour was allowed, after which again to work, leaving off in summer at six, and in winter at sunset. They were then again locked up in their cells, having first, when the evenings were light, an hour's exercise, and last of all supper—another pint of gruel, hot.

The turnkeys were to be assisted by wardsmen and wardswomen, selected from the more decent and orderly prisoners, These attended chiefly to the cleanliness of the prison, and were granted a special pecuniary allowance. "Second Class" prisoners were appointed also, to act as trade instructors. Any prisoners might work extra hours on obtaining special permission. The general demeanour of the whole body of inmates was regulated by the following rule: "No prisoner shall disobey the orders of the governor or any other officer, or shall treat any of the officers or servants of the prison with disrespect; or shall be idle or negligent in his work, or shall wilfully mismanage the same; or absent himself without leave from Divine Service, or behave irreverently thereat; or shall be guilty of cursing or swearing, or of any indecent expression or

conduct, or of any assault, quarrel, or abusive words; or shall game with, defraud, or claim garnish, or any other gratuity from a fellow-prisoner; or shall cause any disturbance or annoyance by making a loud noise, or otherwise; or shall endeavour to converse or hold intercourse with prisoners of another division; or shall disfigure the walls by writing on them, or otherwise; or shall deface, secrete, or destroy, or pull down the printed abstracts of rules; or shall wilfully injure any bedding or other article provided for the use of prisoners." Offences such as the foregoing were to be met by punishment, at the discretion of the governor, either by being confined in a dark cell, or by being fed on bread and water only, or by both such punishments; more serious crimes being referred to the committee, who had power to inflict one month's bread and water diet and in a dark cell. Any extraordinary diligence or merit, on the other hand, was to be brought to the notice of the Secretary of State, in order that the prisoner might be recommended as an object for the Royal mercy. When finally discharged, the prisoners were to receive decent clothing, and a sum of money at the discretion of the committee, in addition to their accumulated per centage, or tools, provided such money or such tools did not exceed a value of £3. Moreover, if any discharged prisoner, at the end of twelve months, could prove on the testimony of a substantial housekeeper, or other respectable person, that he was earning an honest livelihood he was to be entitled to a further gratuity not exceeding £3.

The early discipline of the prisoners in Millbank, as designed by the committee, was based on the principle of constant inspection and regular employment. Solitary im-

prisonment was not insisted upon, close confinement in a punishment cell being reserved for misconduct. All prisoners on arrival were located at the lodge, and kept apart, without work, for the first five days; the object in view being, to "awaken them to reflection, and a due sense of their situation." During this time the governor visited each prisoner in the cell for the purpose of becoming acquainted with his character, and explaining to him the spirit in which the establishment had been erected. No pains were spared in this respect. The governor's character-books, which I have examined, are full of the most minute, I might add trivial, details. After the usual preliminaries of bathing, hair-cutting, and so forth, the prisoners passed on to one of the pentagons and entered the first class, remaining therein for half their total sentences. The only difference between first and second class was, that the former worked alone, each in his own cell; the latter in company, in the work rooms. The question of finding suitable employment soon engaged the attention of the committee. At first the males tried tailoring, the females needlework. Great efforts were made to introduce various trades. Many species of industry were attempted, skilled prisoners teaching the unskilled. Thus, at first, one man who could make glass beads worked at his own trade, and had a class under him; another, a tinman, turned out tin-ware, in which he was assisted by his brother, a "free man" and a more experienced workman; and several cells were filled with prisoners who manufactured rugs under the guidance of a skilful prison artizan. But Mr. Holford, one of the committee, in a paper laid before his colleagues, in 1822, was forced to confess that all these undertakings had failed.

The glass-bead blower misconducted himself; the "free" tinman abused the confidence of the committee, probably by "trafficking," and the rug-maker was soon pardoned and set at large. By 1822 almost all manufactures, including flax breaking, had been abandoned, and the prisoners' operations were confined to shoemaking, tailoring, and weaving. Mr. Holford, in the same pamphlet, objects to the first of these trades, complaining that shoemakers' knives were weapons too dangerous to be trusted in the hands of prisoners. Tailoring was hard to accomplish, from the scarcity of good cutters, and weaving alone remained as a suitable prison employment. In fact, thus early in the century, the committee were brought face to face with a difficulty that even now, after years of experience, is pressing still for solution.

I have now described at some length the system pursued at the Penitentiary. Beyond doubt—and of this there is abundant proof in the prison records—the committee sought strenuously to give effect to the principles on which the establishment was founded. Nevertheless their proceedings were more or less tentative, for as yet little was known of so-called "systems" of prison discipline, and those who had taken Millbank under their charge were compelled to feel their way slowly and with caution, as men still in the dark. The Penitentiary was essentially an experiment—a sort of crucible into which the criminal elements were thrown, in the hopes that they might be changed or resolved by treatment into other superior forms. The members of the committee were always in earnest, and they spared themselves no pains. If they had a fault, it was in over-tenderness towards the felons com-

mitted to their charge. Millbank was a huge plaything; a toy for a parcel of philanthropic gentlemen, to keep them busy during their spare hours. It was easy to see that they loved to run in and out of the place, and to show it off to their friends;* thus we find the visitor, Sir Archibald Macdonald, bringing a party of ladies to visit the pentagon, when "the prisoners read and went through their religious exercises," which edifying spectacle "gave great satisfaction to the persons present."† Again, at Christmas time the prisoners were regaled with roast beef and plum pudding, after which they returned thanks to the Rev. Archdeacon Potts, the visitor (who was present, with a select circle of ladies and gentlemen), "appearing very grateful, and sang 'God save the King.'"‡ With such sentiments uppermost in the minds of the superintending committee, it is not strange that the gaoler and other officials should be equally kind and considerate. No punishment of a serious nature was ever inflicted without a report to the visitor, or his presence on the spot. The whole of the female prisoners, who were first received, were found to be liable to fits, and the ten-

* The following list of visitors who came to Millbank sight-seeing within a month or two of its opening, will give some idea of the public interest taken in the place. I have selected these from others in the Governor's Journal:—

The Grand Duke Nicholas of Russia; H.R.H. the Duke and the Duchess of York; Lady Louisa Connolly; the Saxon minister; Dr. Jenner and the Archbishop of York; the Earl of Fitzwilliam and Lord Clive; Sultan Hatimgary Krimgary; the Bishop of Bangor; Lord Gambier, Lord Prudhoe, the Dean of Westminster, and Lord Templetown; Mr. Shaw Lefevre, Miss Vansittart, and about eighteen other ladies; the Duke of Bedford and the Marquis of Tavistock; H.R.H. the Duke and Duchess of Kent, the Grand Duke Michael, Colonel D'Oyley, Lady Teignmouth, the Hon. Capt. Waldegrave, etc., etc.

† Governor's Journal, i. p. 122. ‡ Ibid. p. 116.

dency gave Mr. Shearman great concern, till it was found that by threatening to shave and blister the heads of all persons so afflicted immediate cure followed. Two Jewesses, having religious scruples, refused to eat the meat supplied, whereupon the husband of one of them was permitted to bring in for their use "coarse meat and fish, according to the custom of the Jews"; and later we find the same man came regularly to read the Jewish prayers, "as he stated, out of the Hebrew book." Many of the women refused positively to have their hair cut short; and for a time were humoured. In February, 1817, all the female prisoners were assembled, and went through a public examination, before the Bishops of London and Salisbury, to show their progress in religious instruction, and "acquitted themselves greatly to the satisfaction of all present."

Judith Lacy, having been accused of stealing tea from a matron's canister, which had been put down, imprudently, too near the prisoner, was "so hurt at the charge, that it threw her into fits." She soon recovered, and it was quite evident she had stolen the tea. Any complaint of food was listened to with immediate attention. Thus the gruel did not give satisfaction and was repeatedly examined.

"A large number of the female prisoners still refuse to eat their barley soup," says the governor in his Journal* on the 23rd April, 1817, "several female prisoners demanding an increase of half a pound of bread," being refractory. Next day some of them refused to begin work, saying they were half-starved.

* Page 198.

Mary Turner was the first prisoner released. She was supposed to be cured. Having equipped her in her liberty clothing, "she was taken into the several airing grounds in which were her late fellow-prisoners. The visitor (Sir Archibald Macdonald) represented to them in a most impressive manner the benefits that would result to themselves by good behaviour. The whole were most sensibly affected, and I think the event will have a very powerful effect on the conduct of many and prove an incentive to observe good and orderly demeanour." *

Next day the whole of the female prisoners were at their cell windows, and shouted vociferously as Mary Turner went off. This is but one specimen of the free and easy system of management. Of the same character was a petition presented by a number of the female prisoners, to restore to favour two other convicts who had been punished by the committee. Indeed, the whole place appears to have been like a big school, and a degree of license was allowed to the prisoners consorting little with their character of convicted criminals.

This mistaken lenity could end but in one way. Early in the spring the whole of the inmates broke out in open mutiny. Their alleged grievance was the issue of an inferior kind of bread. Change of dietary scales in prisons is always attended with some risk of disturbance, even when discipline is most rigorously maintained. In those early days of mild government riot was of course inevitable. The committee having thought fit to alter the character of the flour supplied, soon afterwards, at breakfast-time, all the prisoners, male and female, refused to receive their bread. The

* Governor's Journal, 2nd Sept. 1817.

women complained of its coarseness; and all alike, in spite of the exhortations of the visitor, Mr. Holford, left it outside their cell doors. Next day, Sunday, the bread was at first taken, then thrown out into the passages. The governor determined to have Divine Service as usual, but to provide against what might happen, deposited within his pew "three brace of pistols loaded with ball."* To make matters worse, the Chancellor of the Exchequer arrived with a party of friends to attend the service. The governor immediately pointed out that he was apprehensive that "in consequence of the newly adopted bread the prisoners conduct would not be orderly, as it had ordinarily been." At first the male prisoners were satisfied by raising and letting fall the flaps of the kneeling benches with a loud report, and throwing loaves about in the body of the chapel, while the women in an audible tone cried out, "Give us our daily bread." Soon after the commencement of the communion service, the women seated in the gallery became more loudly clamorous, calling out most vociferously, "Better bread, better bread!" The men below, in the body of the church, now rose and stood upon the benches; but again seated themselves on a gesture from the governor, who then addressed them, begging them to keep quiet. Among the females, the confusion and tumult was continued, and was increased by the screams of alarm from the more peaceable. Many fainted, and others in great terror entreated to be taken away. "These were suffered to go out in small bodies, in charge of the officers, and so we continued to remove them, till the whole of the females were withdrawn. About six of them, as they came to the place

* Journal, April 19, 1818.

where they could see the males, made a halt and most boisterously assailed the men, calling them cowards, and other opprobious names." After the women had gone the service proceeded without further interruption, after which the Chancellor of the Exchequer (who was present throughout) addressed the males, giving them a most appropriate admonition, but praising their orderly demeanour, which he promised to report to the Secretary of State. Afternoon service was performed without the female congregation, and was uninterrupted except by a few hisses from the boys.

Next morning the governor informed the whole of the prisoners, one by one, that the new brown bread would have to be continued until the meeting of the committee; whereupon many resisted when their cell doors were being shut, and others hammered loudly on the woodwork with their three-legged stools; and this was accompanied by the most hideous shouts and yells. In one of the divisions, four prisoners, who were in the same cell, were especially refractory, "entirely demolishing the inner door, every article of furniture, the two windows and their iron frames; and, having knocked off large fragments from the stone of the doorway, threw the pieces at, and smashed to atoms the passage windows opposite." One of them, Greenslade, assaulted the governor, on entering the cell, with part of the door frame; but "I parried the blow, and drove the prisoner's head against the wall; and I was also compelled, in my defence, to knock down Michael Sheen." * Such havoc and destruction was accomplished by the prisoners, that the governor repaired to the Home Secretary's for assistance. By him directed to Bow Street, he brought

* Governor's Journal, April 20, 1818.

back a number of runners, and posted them in various parts of the building, during which a huge stone was hurled at his head by a prisoner named Jarman, but without evil consequences. A fresh din broke out on the ringing of the bell on the following morning, and neither governor nor chaplain could permanently allay the tumult; the governor determined thereupon to handcuff all the turbulent males immediately. "The effect was instantaneous. Although there were still mumblings and grumblings, I felt that the storm would soon be over. . . . In the course of the day I had placed all the refractory in irons, and all was quiet in the male pentagon." But many still muttered, and all was yet far from over. There was little doubt at the time that a general rising of the men was contemplated, and the governor felt it necessary to use redoubled efforts to make all secure, calling in further assistance from Bow Street. The night passed, however, without any outbreak, and next morning all the prisoners were pretty quiet and orderly. Later in the day the committee met and sentenced the ringleaders to various punishments, chiefly reduction in class, and by this time the whole were humble and submissive. Finally five, who had been conspicuous for good conduct, were pardoned.

It is satisfactory to find that the committee firmly resisted all efforts to make them withdraw the objectionable bread, and acted on the whole with spirit and determination. How far the governor was to blame cannot clearly be made out, but the confidence of the committee was evidently shaken, and a month or two later he was called upon to resign. He refused; whereupon the committee informed him that they gave him "full credit for his

capacity and talents in his former line of life, but did not deem he had the talent, temper, or turn of mind, necessary for the beneficial execution of the office of governor of the institution." There was not the slightest imputation on his moral character, the committee assured him; but they could not retain him. He would not resign, and they were consequently compelled to remove him from his office.

There can be no doubt but that Millbank in these early days was over much governed. The committee took everything into their own hands, and allowed but little latitude to their responsible officers. The first governor complains * that the visitors (members of the committee) "went to the Penitentiary, and gave orders and directions for things to be done by inferior officers, which I thought ought to come through me. . . . Prisoners were occasionally removed from one ward to another, and I knew nothing of it—no communication was made to me; and if the inferior officers had a request to make, they got too much into the habit of reserving it to speak to the visitors; so that I conceived I was almost a nonentity in the situation." The prisoners, even, were in the habit of saying they would wait till the visitor came, and would ask him for what they wanted, ignoring the governor altogether. Indeed it appears from the official journals that the visitors were constantly at the prison. One (Mr. Holford) admits that "for a considerable time he did everything but sleep there." But their excuse was that they were not fortunate in their choice of some of their first officers; and knew therefore they "must watch vigilantly over their conduct, to keep those who answered expectations, and to part with those who ap-

* Parliamentary Select Committee on Millbank, July, 1823.

peared unfit for their situations." Besides which it was necessary to see from time to time how the rules first framed worked in practice, and what customs that grew up should be prohibited, and what sanctioned, by the committee, and adopted into the rules.

It must be confessed that the committee do not appear to have been well served by all their subordinates. The governors were changed frequently; the first "expected to find his place better in point of emolument, and did not calculate upon the degree of activity to be expected in the person at the head of such an establishment; the second was not thought by the committee to have those habits of mind —particularly those habits of conciliation—which are required in a person at the head of such an establishment;" the third was seized with an affection of the brain, and was never afterwards capable of exercising sufficient activity. The first master manufacturer, who as will be remembered was appointed because he was of a mechanical turn of mind, was removed because he was a very young man, and his conduct was not thought steady enough for the post he occupied. The first steward was charged with embezzlement, but was actually dismissed for borrowing money from some of the tradesmen of the establishment. The first matron was also sent away within the first twelve months, but she appears to have been rather hardly used, though her removal also proves the existence of grave irregularities in the establishment. The case against Mrs. Chambers was that she employed certain of the female prisoners for her own private advantage. Her daughter was about to be married; and to assist in making up bed furniture a portion of thread belonging to the establish-

ment was used by the prisoners, who gave also their time. The thread was worth a couple of shillings, and was replaced by Mrs. Chambers. A second charge against the matron was for stealing a Penitentiary Bible. Her excuse was that a number had been distributed among the officers, —a present, as she thought, from the committee,—and she had passed hers on to her daughter. But for these offences, when substantiated, she was dismissed from her employment.

Entries made in the Visitors' Journal, however, are fair evidence that matters were allowed by the officials to manage themselves in rather a "happy-go-lucky" fashion. One day new prisoners were expected from Newgate; but nothing is ready for them. "Not a table or a stool in any working cell; and one of those cells where the prisoners were to be placed, in which the workmen had some time since kept coals, was in the dirty state in which it had been left by them. Not a single bed had been aired." The steward did not know these prisoners were expected, and had ordered no rations for them. But he stated "he has enough, all but about two pounds." Upon which the visitor remarks, "If 16 male prisoners can be supplied without notice, within two pounds, the quantity of meat sent in cannot be very accurate." Again, the visitor finds the doors from the prison into the hexagon (where the superior officers lived) "not double-locked as they ought to be. . . . Two prisoners together in the kitchen without a turnkey." "The daily allowance of food issued to the prisoners not the right weight." "29th.—Came at 10. There are in the bathing-room at the lodge several bundles of clothes belonging to male prisoners who have come in

between the 1st and 21st of this month; they are exactly in the state in which they were when the subject was mentioned to the committee last week; some of them are thrown into a dirty part of the room—whether intended to be burned I do not know; the porter thinks they are not. I do not believe any of the female prisoners' things have been yet sold. I understand from the governor he has not yet made any entry in the Character-book concerning the behaviour of any male prisoner since he came into the prison, or relative to any occurrence connected with such prisoner." All this will fairly account for any extra fussiness on the part of the committee. Doubtful of the zeal and energy of those to whom they confided the details of management, they were continually stepping in to make up for any shortcomings by their own activity. But the direct consequence of this interference was to shake the authority of the ostensible heads. Moreover, to make the more sure that nothing should be neglected, and no irregularity overlooked, the committee encouraged, or at least their most prominent member did, all sorts of talebearing, and a system of espionage that must have been destructive of all good feeling among the inmates of the prison. Mr. Pitt, when examined by the Select Committee, said, "Mr. Holford has mentioned to me: 'I hear so and so; such and such an abuse appears to be going forward; but I shall get some further information.' I always turned a deaf ear to these observations, thinking it an erroneous system, and that it was not likely to contribute to the good of the establishment." He thought Mr. Holford's being so ready "to lend a willing ear to such communications operated as an encouragement to talebearing; the con-

sequences of which certainly have appeared to me to have been disputes, cabals, or intrigues."* Mr. Shearman, the governor, remarks on the same subject: "I certainly did think there was a very painful system going on in the prison against officers, . . . by what I might term 'spyism.' I have no doubt it all arose from the purest motives, thinking it was the best way to conduct the establishment, setting up one person to look after another." The master manufacturer and the steward in this way took the opportunity of vilifying the governor; and there is no doubt the matron, Mrs. Chambers, fell a victim to this practice. She was the victim of insinuation, and to the evil reports of busybodies who personally disliked her.

It is easy to imagine the condition of Millbank then. A small colony apart from the great world; living more than as neighbours, as one family almost—but not happily—under the same roof. The officials, nearly all of them of mature age, having grown up children, young ladies and young gentlemen, always about the place, and that place from its peculiar conditions, like a ship at sea, shut off from the public, and concentrated on what was going on within its walls. Gossip of course, prevalent—probably worse; constant observation of one another, jealousies, quarrels, inevitable when authority was divided between three people, the governor, chaplain, and matron, and it was not clearly made out which was the most worthy; subordinates ever on the look out to make capital of the differences of their betters, and alive to the fact that they were certain of a hearing when they chose to carry any slanderous tale, or make any underhand complaint. For there, outside the

* Parliamentary Select Committee on Millbank, July, 1823, p. 165.

prison, was the active and all-powerful committee, ever ready to listen, and anxious to get information. One of the witnesses before the committee of 1823 stated, "From the earliest period certainly the active members of the Superintending Committee gave great encouragement to receive any information from the subordinate officers, I believe with the view of putting the prison in its best possible state; that encouragement was caught with avidity by a great many, simply for the purpose of cultivating the good opinion of those gentlemen conducting it; and I am induced to think that in many instances their zeal overstepped perhaps the strict line of truth; for I must say that during the whole period I was there, there was a continual complaint, one officer against another, and a system that was quite unpleasant in an establishment of that nature."

Of a truth the life inside the Penitentiary must have been rather irksome to more people than those confined there against their will.

THE PRISON GRAVEYARD.

CHAPTER IV.

THE GREAT EPIDEMIC.

THE internal organization of Millbank, which has been detailed in the last chapter, is described at some length in a Blue Book, bearing date July, 1823. But though Millbank was then, so to speak, on its trial, and its value, in return for the enormous cost of its erection, closely questioned, it is probable that its management would not have demanded a Parliamentary inquiry but for one serious mishap which brought matters to a crisis. Of a sudden the whole of the inmates of the prison began to pine and fall away. A virulent disorder broke out, and

threatened the lives of all in the place. Alarm and misgiving in such a case soon spread; and all at once the public began to fear that Millbank was altogether a huge mistake. Here was a building upon which half a million had been spent, and now, when barely completed, it proved uninhabitable! Money cast wholesale into a deadly swamp, and all the fine talk of reformation and punishment to give way to coroners' inquests and deaths by a strange disease. No wonder there was a cry for investigation. Then, as on many subsequent occasions, it became evident Millbank was fulfilling one of the conditions laid down as of primary importance in the choice of site. Howard had said that the Penitentiary House must be built near the metropolis, so as to insure constant supervision and inspection. Millbank is ten minutes' walk from Westminster, and from the first has been the subject of continual inquiry and legislation. The tons of Blue Books and dozens of Acts of Parliament which it has called into existence will be sufficient proof of this. It was however a public undertaking, carried out in the full blaze of daylight, and hence it attracted more than ordinary attention. What might have passed unnoticed in a far-off shire, was in London magnified to proportions almost absurd. This must explain State interference, which now-a-days may seem quite unnecessary, and will account for the giving a national importance to matters oftentimes in themselves really trivial.

But this first sickness in the Penitentiary was sufficiently serious to arrest attention. The story of it is as follows.

In the autumn of 1822, state the physicians appointed to report on the subject,* the general health of the prisoners

* Report of Drs. Roget and Latham.

in Millbank began visibly to decline. They became pale and languid, thin and feeble; those employed in tasks calling for bodily exertion could not execute the same amount of work as before, those at the mill ground less corn, those at the pump brought up less water, the laundry-women often fainted at their work, and the regular routine of the place was only accomplished by constantly changing the hands engaged. Throughout the winter this was the general condition of the prisoners. The breaking down of health was shown by such symptoms as lassitude, dejection of spirits, paleness of countenance, rejection of food, and occasional faintings. Yet, with all this depression of general health, there were no manifest signs of specific disease; the numbers in hospital were not in excess of previous winters, and their maladies were such as were commonly incident to cold weather. But in January, 1823, scurvy—unmistakable sea scurvy—made its appearance, and was then recognized as such and in its true form for the first time by the medical superintendent, though the prisoners themselves declared it was visible among them as early as the previous November. Being anxious to prevent alarm, either in the Penitentiary itself or in the neighbourhood, the medical officer rather suppressed the fact of the existence of the disease; and this, with a certain tendency to make light of it, led to the omission of many precautions. But there it was, plainly evident; first, by the usual sponginess of the gums, then by "ecchymosed" blotches on the legs, which were observed in March to be pretty general among the prisoners.

Upon this point, the physicians called in remark, that the scurvy spots "are at their first appearance pecu-

liarly apt to escape discovery, unless the attention be particularly directed towards them, and that they often exist for a long time entirely unnoticed by the patient himself." And now with the scurvy came dysentery, and diarrhœa, of the peculiar kind that is usually associated with the scorbutic disease. In all cases, the same constitutional derangement was observable, the outward marks of which were a sallow countenance and impaired digestion, diminished muscular strength, a feeble circulation, various degrees of nervous affections, such as tremors, cramps, or spasms, and various degrees of mental despondency.

With regard to the extent of the disease, it was found that quite half of the total number were affected, the women more extensively than the men; and both the males and females of the second class, or those who had been longest in confinement, were more frequently attacked than the newest arrivals. Some few were, however, entirely exempt; more especially the prisoners employed in the kitchen, while among the officers and their families, amounting in all to one hundred and six individuals, there was not a single instance of attack recorded.

Such then was the condition of the prisoners in the Penitentiary in the spring of 1823. To what was this sudden outbreak of a virulent disorder to be traced? There were those who laid the whole blame on the locality, and who would admit of no other explanation. But this argument was in the first instance opposed by Drs. Latham and Roget. Had the situation of the prison been at fault, they said, it was only reasonable to suppose that the disease would have shown itself in earlier years of the prison's existence; whereas, as far as they could ascertain, till 1822-3

it was altogether unknown. Moreover, had this been the real cause, all inmates would alike have suffered; how then explain the universal immunity of the officers in charge? Again, if it were the miasmata arising upon a marshy neighbourhood that militated against the healthiness of the prison, there should be prevalent other diseases which marsh miasmata confessedly engender. Besides which, the scurvy and diarrhœa thus produced are associated with intermittent fevers, in this case not noticeable; and they would have occurred during the hot instead of the winter season. Lastly, if it were imagined that the dampness of the situation had contributed to the disease, a ready answer was, that on examination every part of the prison was found to be singularly dry, not the smallest stain of moisture being apparent in any cell or passage, floor, ceiling, or wall. But indeed it was not necessary to search far afield for the causes of the outbreak; they lay close at hand. Undoubtedly a sudden and somewhat ill-judged reduction in diet was entirely to blame. For a long time the luxury of the Penitentiary had been a standing joke.* The prison was commonly called Mr. Holford's fattening house. He was told that much money might be saved the public by parting with half his officers, for there need be no fear of escapes; all that was needed was a proper guard to prevent too great a rush of people in. An honourable member published a pamphlet in which he styled the dietary at Millbank "an insult to honest industry, and a violation of common sense." And evidence was not wanting from the prison itself of the partial truth of these allegations. The medical superintendent frequently re-

* Parl. Rep. p. 114, 1823.

ported that the prisoners, especially the females, suffered from plethora, and from diseases consequent upon a fulness of habit. Great quantities of food were carried out of the prison in the wash-tubs; potatoes, for instance, were taken to the pigs, which Mr. Holford admitted he would have been ashamed to have seen thus carried out of his own house. It came to such a pass at last that the committee was plainly told by members of the House of Commons, that if the dietary were not changed, the next annual vote for the establishment would probably be opposed. In the face of all this clamour the committee could not hold out; but in their anxiety to provide a remedy, they went from one extreme to the other. Abandoning the scale that was too plentiful, they substituted one that was altogether too meagre. In the new dietary solid animal food was quite excluded, and only soup was given. This soup was made of ox heads, in the proportion of one to every hundred prisoners; it was to be thickened with vegetables or peas, and the daily allowance was to be a quart, half at midday, and half in the evening. The bread ration was a pound and a half, and for breakfast there was also a pint of gruel. It was open to the committee to substitute potatoes for bread if they saw fit, but they do not seem to have done this. The meat upon an ox head averages about eight pounds, so that the allowance per prisoner was about an ounce and a quarter. No wonder then that they soon fell away in health.

The mere reduction in the amount of food, however, would not have been sufficient in itself to cause the epidemic of scurvy. Scurvy will occur even with a copious dietary. Sailors who eat plenty of biscuit and beef are attacked,

and others who are certainly not starved. The real predisposing cause is the absence of certain necessary elements in the diet, not the lowness of the diet itself. It is the want of vegetable acids in food that brings about the mischief. The authorities called in were not exactly right, therefore, in attributing the scurvy solely to the reduced diet. The siege of Gibraltar was quoted as an instance where semi-starvation superinduced the disease. Again, Mr. White traced the scurvy prevalent in the low districts round Westminster to a similar deficiency and the severe winter, adding, however, the want of vegetable diet also. This last was the real explanation; of this, according to our medical knowledge, there is not now the faintest doubt. Long enforced abstinence from fresh meat and fresh vegetables is certain sooner or later to produce scurvy. At the same time it must be admitted that the epidemic of which I am writing was aggravated by the cold weather. It had its origin in the cold season, and its progress and increase kept pace with it. Those who suffered most were those who occupied uninterruptedly the coldest cells. Others, as I have said, who slept in the same parts, but were employed during the day in the kitchen, generally escaped attack.

I have been quoting so far from the report of two eminent physicians, Drs. Latham and Roget, who were called in by the committee at an early stage of the outbreak. The chief adviser of the committee had so far been Dr. Hutchinson, the medical superintendent; but he seems to have quite forfeited the confidence of the committee, rather by his impracticable attitude than by actual shortcomings in his professional duties. In April he was removed from his situation, and the task of grappling with the disorder fell

upon the gentlemen above mentioned. Their plan of action from the first was just what might have been expected. A ration of fresh meat, four ounces in weight, was at once substituted for the peas or barley soup, with eight ounces of rice daily, white bread instead of brown, and, as the cheapest and best anti-scorbutic, three oranges were given to each prisoner every day, or one at each meal. Under this treatment the disease gradually declined, the prisoners gained strength daily, were more cheerful, and did more work.

The scorbutic marks had in all cases begun to disappear by the end of March, and together with them went the diarrhœa and dysentery, which throughout had been the most formidable part of the disease. The report from which I quote is dated the 5th April, 1823, and after recommending strongly a new dietary nearer the original scale than that which caused all this mischief, it winds up with expressing "a firm conviction that there is now no obstacle to the entire re-establishment of the healthy state of the Penitentiary."

Unhappily this conclusion proved distinctly premature. The report above quoted had hardly been made public before disease reappeared in another form. By the middle of May it was general throughout the prison; before June was ended all were equally affected—those who had before suffered, those before exempt, and even new arrivals, admitted to the Penitentiary since the first outbreak.

Now, too, the remedies that had once proved successful, exercised no appreciable effect upon the disease: this it must be understood was no longer scurvy—the scorbutic spots and blotches never again showed themselves; the complaint was exclusively a species of "flux." "The

disease was neither a diarrhœa nor a dysentery simply—nor did it belong exclusively to the bowels; but it belonged to the whole system, and was very extraordinary and (as I believe)* peculiar in its nature. There was every degree of flux that was ever seen or described. There were cases which corresponded with the description of the Indian cholera. The patients were seized with intolerable cramps at the pit of the stomach; . . . the pulse became feeble and frequent; they were pale and chilly; and a sudden anguish pervaded the whole frame. Again, there were cases which corresponded with the common autumnal cholera of this country. . . . Moreover, there was every kind and degree of dysentery. . . . Again, there were cases which differed very little from the diarrhœa of common casual occurrence, except that they were quite intractable by common remedies. . . . Lastly, there were cases which had no resemblance whatever either to cholera, or dysentery, or diarrhœa, or to any disorder that has obtained a name." A strange anomaly was that those attacked with the most serious forms of illness were not necessarily those who succumbed. Prisoners suffering from the extreme symptoms of cholera or dysentery were as likely to recover as those who had simple diarrhœa; while the mild disease was frequently as fatal as the most severe. The peculiar symptom, among others, which affected the great majority, was "a kind of perpetual uneasiness within the abdomen.† There was a general complaint of what was called sinking at the pit of the stomach. What this sinking is, only those know who have suffered it. All patients speak of it by the

* Latham on the Diseases of the Penitentiary, p. 31, et seq.

† Ibid. p. 36.

same name, but do not describe it further. From observation I suspected it to consist of a certain degree of actual pain, combined with a feeling which is akin to approaching syncope, and spreads from the stomach as a centre over the whole frame. It is a painful and overpowering sensation, as if animal life itself was hurt and lessened." Apparently this sensation was the most painful and distressing of all a patient's sufferings. "Patients would continually endeavour to withdraw our attention from the more tangible symptoms of their disorder, for the sake of fixing it upon this. When we were interrogating them upon circumstances apparently more urgent, they would interrupt us, exclaiming, 'But this sinking, this sinking, pray do something for this sinking.'"*

Many suffered severe pains, which came and subsided, and came again, and were often aggravated into paroxysms of most extreme torture. These pains partook chiefly of the character of colic. Another feature curious in the disease was, that whether the patient had diarrhœa, dysentery, cholera, or flux, his tongue during the whole course of the complaint was clean and moist, and of its natural colour. This struck every medical man who came to the prison. In a few cases it might be a little redder than usual; sometimes coated with mucus, sometimes brown and dry; but in not a single instance was there the red, glossy, smooth tongue peculiar to dysentery. As has been stated already, the severity of the symptoms were no criterion of the severity of the disease; indeed the most formidable form of the disorder was mild diarrhœa.

Two cases of this kind occurred early in the outbreak,

* Latham on the Diseases of the Penitentiary, p. 37.

and progressed slowly and certainly to a fatal termination. The patients had no other symptom but simple diarrhœa; they were in no pain, no fever; pulse at sixty and no more. "Never," says Dr. Latham, "did I witness the process of dissolution so lingering." * Later on cases of this kind became more and more numerous; and it was that form of the disease which the physicians most feared. The patients thus affected were generally given up for lost; they lay in bed without fever, and without pain; no excitement of the pulse, no symptom but continuous diarrhœa. But this one symptom nothing whatever could restrain. They did not complain much, speaking only of "this terrible sinking at the stomach."† But soon their complaining ceased. "If roused then, they looked up for a moment, made no lamentation, then laid their heads down again in despair. It was a dismal office to watch over their tardy dissolution, and witness the frustration of every expedient for their relief. These were the cases in which we first put the efficacy of mercury to successful proof; and I cannot help mentioning the relief my mind experienced from a sense of responsibility which had now become truly awful, as soon as the salutary influence of this remedy was apparent." Mercury was then eventually tried, because the remedies formerly efficacious were now found to fail altogether even in the simplest cases. Neither chalk mixture nor tincture of opium afforded the slightest relief; nor had astringent bitters, aromatics, mucilaginous drinks, antimonials and ipecacuanha.

So far we have dealt only with the bowel complaints; but other disorders showed themselves in those attacked

* Latham on the Diseases of the Penitentiary, p. 41. † Ibid. p. 43.

by the Penitentiary epidemic. Principal among these were the disorders of the brain and nervous system. The physicians in their first report stated that all who suffered from scurvy were liable also to "various degrees of nervous affections, as tremors, cramps, or spasms, and various degrees of mental despondency." But for a long time after the epidemic reappeared, there seemed to be no special reason for connecting these symptoms with the predominating disease. By-and-by the disorders of the brain became more and more frequent and of various kinds, including headache, vertigo, cramps and twitching of the limbs, delirium, convulsions, and apoplexy. Then it was that the doctors began to understand that these disorders were contingent on the flux. Fever also, of more rare occurrence, accompanied the other symptoms; so that the whole disease, taking it from its beginning, might be said to include four different classes of symptoms—those of scurvy, flux, brain disorders, and fever.

The following figures will show at a glance the character and extent of the disorder during the months of May, June, and July, 1823:—On May 15th 345 were sick; on May 23rd, 386; next month the numbers rose to 454; but on July 3rd they had fallen to 438. At this time the prison population amounted to about 800. There were in all 30 deaths.

By July a slight improvement for the better took place; but it is easy to understand that the medical men in charge were still much troubled with fears for the future. Granting even that the disease had succumbed to treatment, there was the danger, with all the prisoners in a low state of health, of relapse, or even of an epidemic in a new shape.

Hence it was felt that an immediate change of air and place would be the best security against further disease. But several hundred convicts could not be sent to the sea-side like ordinary convalescents; besides which they were committed to Millbank by Act of Parliament, and only by Act of Parliament could they be removed. This difficulty was easily met. An Act of Parliament more or less made no matter to Millbank—many pages in the Statute Book were covered already with legislation for the Penitentiary. A new Act was immediately passed, authorising the committee to transfer the prisoners from Millbank to situations more favourable for the recovery of their health. In accordance with its provisions one part of the female prisoners were at once sent into the Royal Opthalmic Hospital in Regent's Park, at that time standing empty; their number during July and August was increased to 120, by which time a hulk, the *Ethalion*, had been prepared at Woolwich for male convicts, and thither went 200, towards the end of August. Those selected for removal were the prisoners who had suffered most from the disease. This was an experiment; and according to its results the fate of those who remained at Millbank was to be determined. "The benefit of the change of air and situation," says Dr. Latham, "was immediately apparent." Within a fortnight there was less complaint of illness, and most of the patients already showed symptoms of returning health. Meanwhile, among the prisoners left at Millbank there was little change, though at times all were threatened with a return of the old disorder, less virulent in its character, however, and missing half its former frightful forms. By September, a comparison between those at Regent's

Park or the hulk and those still in Millbank was so much in favour of the former that the point at issue seemed finally settled. Beyond doubt the change of air had been extremely beneficial; nevertheless, of the two changes, it was evident that the move to the hulks at Woolwich had the better of the change to Regent's Park. On board the *Ethalion* the prisoners had suffered fewer relapses and had gained a greater degree of health than those at Regent's Park. On the whole, therefore, it was considered advisable to complete the process of emptying Millbank. The males and females alike were drafted into different hulks off Woolwich. These changes were carried out early in December, and by that time the Millbank Penitentiary was entirely emptied.

One remarkable circumstance attended the removal of the prisoners. All alike, on arrival at Woolwich, experienced an immediate improvement in health. For a time, indeed, their disorder altogether disappeared. But this speedy amendment was unhappily almost always completely fallacious. The diarrhœa invariably returned, and though milder in its form, it was still the same old Millbank complaint. Nor was there even any security that those who became convalescent were entirely and completely cured. Sometimes patients, after having been free from any symptoms of complaint for even four or five months, again fell victims to the disease. This fluctuation was necessarily embarrassing to the physicians in charge. At one visit they found, perhaps, not five-and-twenty cases in a couple of hundred men; at the next, half the whole number would be afflicted with diarrhœa. The progress, therefore, to ultimate and complete restoration to health was altogether

uncertain. In all cases the females were those whose cure seemed permanently postponed. Fresh attacks of a severe character continually appeared among them. On the other hand, women who had been pardoned came back, from time to time, and showed themselves at the hulks, restored to perfect health. It seemed, then, that the only chance of preserving the lives of all, was to set all at liberty; and, indeed, the sufferings they had undergone might well be taken as an equivalent of many years' imprisonment. These arguments prevailed, and eventually the whole of the female prisoners received the pardon of the Crown. But though all were thus made free, they were not turned adrift *en masse* to shift for themselves. The Home Secretary, in all cases, communicated first with the prisoners' friends throughout the kingdom; and no one was set at large till it was clear that she had a home to receive her. In this way the dismissal of the prisoners was protracted, and it was not till the 18th January, 1824, that the last woman had left the Penitentiary hulks. With the men it was different: their health had not, certainly, deteriorated nearly so much; and yet it was felt to be unsafe to send them back to the prison. On board the hulks, however, they were lapsing rapidly into utter anarchy and confusion. To extend a wholesale pardon to some 400 felons was a measure that rather frightened those who wielded the prerogative of clemency. These men must remain in durance, but where? After some discussion it was resolved to transfer the whole of the men to the regular hulk establishments, and accordingly another Act was passed, giving Government the necessary power. It was hoped that by thus distributing the Penitentiary prisoners, subjecting

them to a new discipline and active occupation, their health would soon recover. The result verified the expectation. At the end of the year those who were in medical charge reported that the health of these men was quite as good as that of the other prisoners. In this manner the epidemic came to an end. Millbank was emptied, remained vacant for some months, and was eventually refilled, but with an entirely new class of inmates.

But though the epidemic ended thus, the question was not to die out with the flickering out of the disease. For some time to come the question how it originated and who was to blame, agitated many minds. As I have already pointed out, the physicians in the first instance (in April) attributed the disease to a sudden change from a full to a sparse diet, aided by the cold of an unusually severe winter. At that time they absolved the locality of all share in the noxious causes. But when in May the disease reappeared with renewed virulence, they had to reconsider their verdict, and issued a second report. They stated now that it was impossible that it could have sprung exclusively from the causes at first put forward. Cold and scanty nourishment would always suffice, of course, to produce scurvy; but here at Millbank these causes were not present in the most intense degree. The winter was cold, no doubt; but then the prisoners were not out of doors—they were sheltered under a warm roof. Again, the diet might be insufficient, still it was wholesome in its kind. Neither one nor other, nor both combined, might well be credited with producing a disorder so virulent and fatal. New facts had to be sought out; and these were to be found, the physicians thought, in contagion and an injurious influence peculiar to the place.

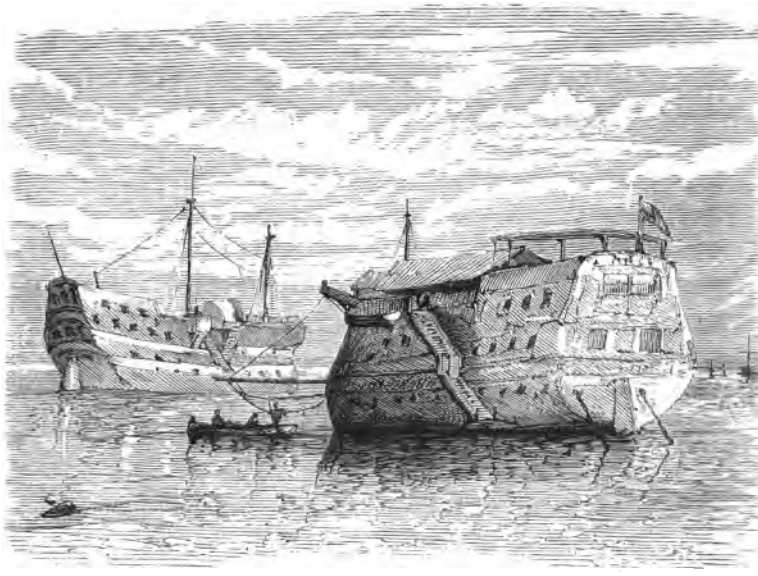
Of the first there could be no reasonable doubt. The illness was no longer confined, as on the first outbreak, to the prisoners alone; the officers high and low were now equally attacked. The chaplain caught it from attending the sick, and his family suffered because he had taken as servant a convict who was not entirely recovered. New prisoners, too, upon whom the changed dietary had had little time to act, were quite as susceptible as the old. This showed the diet was not alone at fault; and as to the weather—why it was already spring time, or indeed the early summer, before the epidemic showed itself in its worst form. Undoubtedly, then, the inference was that the disease had grown contagious. And it was contagious in a manner peculiar to itself; convalescents were re-infected by it, which is quite unusual with ordinary diseases.

Again, as to the noxious influence peculiar to the place, the physicians asserted that, on a close examination of the prison apothecary's books, they now ascertained that for years past diarrhœa had been prevalent in the Penitentiary. Its existence was proved less by recorded cases than by the character of the prescriptions made up. The medicine commonest in use was chalk mixture, and this of itself was evidence enough. The inmates of Millbank must, they thought, have been always subject to attacks of this kind.

It was not to be supposed that this second report could be accepted by the committee without comment. Its conclusions were construed into a direct attack upon the prison situation and its management generally. Mr. Holford, an active member of the committee, took up the cudgels and replied warmly. Pamphlet followed pamphlet

on either side; but the question at issue was never satisfactorily set at rest. Looking back now, after a lapse of years, and with the light of acquired experience, it is less difficult to decide the question. All the causes quoted undoubtedly contributed their share, in a greater or less degree. But it was the change of diet that actually originated the disease. Conditions that might otherwise have continued dormant or unnoticed, were by this agent called into active existence. The inmates of the Penitentiary were ripe for attack perhaps, but failing some spark to set the mass aflame might have escaped altogether. This spark was the ill-judged reduction of the dietary, accompanied as it was by a complete change in the character of its constituents. Not only was the supply of sustenance insufficient, but solid food was now altogether excluded. Gruel for breakfast, soup for dinner, soup for supper; these were the viands at the three meals. Everything was liquid but the bread; yet even this might have passed without such serious consequences but for another and more fatal error. Vegetables were almost entirely omitted from the new scale. In the first there had been a daily issue of a pound of potatoes; in the second, potatoes might be substituted for bread at the discretion of the committee, but practically this never occurred. Taking all these circumstances in conjunction, it is easy to understand that a body of prisoners, not indisposed naturally to attack, fell an easy prey to the epidemic. The spirit of evil once evoked soon found allies all around, and could not easily be laid. Now the situation and surroundings of the prison threw their weight into the scale—the artificial ground on which the building had been raised, the stagnant moat of dirty

water that encircled its walls, the bitter cold of an unusually severe winter. Aided and abetted thus, the scurvy and its sequelæ took fast hold of the place, and the disease ran its course with the severity that has been described.



HOSPITAL HULKS AT WOOLWICH.

CHAPTER V.

PRISON LIFE BEFORE AND AFTER THE EPIDEMIC.

THE inner life of the Penitentiary went on much as usual in the early days of the epidemic. There are at first only the ordinary entries in the governor's Journal. Prisoners came and went; this one was pardoned, that received from Newgate or some county gaol. Repeated reports of misconduct are recorded. The prisoners seemed fretful and mischievous. Now and then they actually complained of the want of food. One prisoner was taken to task for telling his father, in the visiting cell, that "six prisoners

out of every seven would die for want of rations." But at length the blow fell. "On the 14th February, 1823, Ann Smith died in the infirmary at half-past nine." On the 17th, Mary Ann Davidson; on the 19th, Mary Esp; on the 23rd, William Cardwell; on the 24th, Humphrey Adams; on the 28th, Margaret Patterson. And now, by order of the visitor, the prisoners were ordered more walking exercise. Then follow the first steps taken by Drs. Roget and Latham. The governor records, on the 3rd March, that the doctors recommend each prisoner should have daily four ounces of meat and three oranges; that their bread should be divided into three parts, an orange taken at each meal. Accordingly "I sent the steward to Thames Street to lay in a week's consumption of oranges."

An entry soon afterwards gives the first distinct reference to the epidemic. "The medical gentlemen having begged for the bodies of such prisoners as might die of the disorder now prevalent in the prison, in order to make post-mortem examinations, the same was sanctioned if the friends of the prisoner did not wish to interfere." Deaths were now very frequent, and hardly a week passed without a visit from the coroner or his deputy.

On the 25th March the governor, Mr. Couch, who had been ailing for some time past, resigned his charge into the hands of Captain Benjamin Chapman. Soon afterwards there were further additions to the dietáry—on the 26th of April two more ounces of meat and twelve ounces of boiled potatoes; and the day after, it was ordered that each prisoner should drink toast-and-water,—three half-pints daily. Lime, in large tubs, was to be provided in all the pentagons for the purpose of disinfection.

About this period there was a great increase of insubordination among the prisoners. It is easy to understand that discipline must be relaxed when all were more or less ailing and unable to bear punishment. The sick wards were especially noisy and turbulent. One man, for instance, was charged with shouting loudly and using atrocious language; all of which of course he denied, declaring he had only said, "God bless the King, my tongue is very much swelled." Upon this the turnkey in charge observed that it was a pity it was not swelled more, and Smith (the prisoner) pursued the argument by hitting his officer on the head with a pint pot. Later on they broke out almost into mutiny. Here is what the governor says:—"At a quarter to eight o'clock Taskmaster Swift informed me that the whole of the prisoners in the infirmary ward of his pentagon were in the most disorderly and riotous state, in consequence of the wooden doors of the cells having been ordered by the surgeon to be shut during the night; that the prisoners peremptorily refused to permit the turnkeys to shut their doors, and made use of the most opprobrious terms in speaking of Mr. Pratt, threatening destruction to whoever might attempt to shut their doors. Their shouts and yells were so loud as to be heard at a considerable distance. I immediately summoned the patrols, and several of the turnkeys, and making them take their cutlasses, I repaired to the sick ward. I found the wooden doors all open, and the prisoners, for the most part, at their iron gates, which were shut. The first prisoner I came to was John Hall. I asked him the reason he refused to shut his door when ordered. He answered in a very insolent tone and manner, 'Why should I do so?' I then

said, 'Shut your door instantly,' but he would not comply. I took him away and confined him in a dark cell. In conveying him to the cell he made use of most abusive and threatening language, but did not make any personal resistance." Five others who were pointed out as prominent in the mutiny were also punished on bread and water and dark cell, by the surgeon's permission.

Nor were matters much more satisfactory in the female infirmary wards.

"Mrs. Briant, having reported yesterday, during my absence at Woolwich, that Mary Willson had 'wilfully cut her shoes,' and, having stated the same verbally this morning, I went with her into the infirmary, where the prisoner was, and having produced the shoes to her (the upper-leather of one of them being palpably cut from the sole), and asked her why she cut them, she said she had not cut them, that they had come undone whilst walking in the garden. This being an evident falsehood, I told her I feared she was doing something worse than cutting her shoes by telling an untruth. She answered in a very saucy manner, they were not her shoes, and that she had not cut them. She became at length very insolent, when I told her she deserved to be punished. She replied she did not care whether she was or not. I then directed the surgeon to be sent for; when not only the prisoner, but several others in the infirmary, became very clamorous, and evinced a great degree of insubordination. I went out with the intention of getting a couple of patrols, when I heard the crash of broken glass and loud screams. I returned as soon as possible with the patrols into the infirmary. The women generally attempted to oppose my

entrance, and a group had got Willson amongst them, and said she should not be confined. I desired the patrols to lay hold of her, and take her to the dark cell (I had met with Dr. Hugh when going for the patrols, who under the circumstances sanctioned the removal of the prisoner). In doing so, Betts and Stone were assaulted with the utmost violence; I myself was violently laid hold of, and my wrist and finger painfully twisted. I had Willson, however, taken to the dark cell, when, having summoned several of the Turnkeys and officers of the prison, I with considerable difficulty succeeded in taking six more of them who appeared to be most forward in this disgraceful riot. Several of the large panes in the passage windows were broken; and the women seized everything they could lay their hands on, and flung them at the officers, who, in self-defence, were at length compelled to strike in return. I immediately reported the circumstance to Sir George Farrant, the visitor, who came to the prison soon after. I accompanied, as did Dr. Bennett (the chaplain) and Mr. Pratt, through the female pentagon and infirmary, when a strong spirit of insubordination was obvious. Sir George addressed them, and so did Dr. Bennett, and pointed out the serious injury they were doing themselves, and that such conduct would not pass unpunished. We afterwards visited the dark refractory cells, where the worst were confined; two of whom, on account of previous good-conduct and favourable circumstances, were liberated. For myself, I never beheld such a scene of outrage, nor did I observe a single individual who was not culpably active."

As a general rule, the prisoners in the Penitentiary were in these days so little looked after, and had so much leisure

time, that they soon found the proverbial "mischief" of the hymnist. Having some suspicions, the governor searched several, and found up the sleeves of five of them, knives, playing cards (made from an old copy-book), two articles to hold ink, a baby's straw hat, some papers (written upon), and an original song of questionable tendency. The hearts and diamonds in the cards had been covered with red chalk, the clubs and spades with blacking. "Having received information that there were more cards about, I caused strict search to be made, and found in John Brown's Bible, one card and the materials for making more, also a small knife made of bone. In another prisoner's cell was found another knife and some paste, ingeniously contrived from old bread-crumbs. But even these amusements did not keep the prisoners from continually quarrelling and fighting with one another. Any one who had made himself obnoxious was severely handled. A body of prisoners fell upon one Tompkins, and half killed him "because he had reported the irreverent conduct of several of them while at Divine Service." The place was like a bear-garden. Insubordination, riots, foul language, and continual wranglings among themselves —it could hardly be said that the prisoners were making that rapid progress towards improvement which was among the principal objects of the Penitentiary.

But now the scene shifts to the Woolwich hulks, whither by this time the whole of the inmates were being by degrees transferred. The first batch of males were sent off on the 16th August, embarking at Millbank, and proceeding by launch to Woolwich. Great precautions were taken. All the disposable taskmasters, turnkeys, and

patrols being armed and stationed from the outer lodge to the quay (River Stairs), the prisoners were assembled by six at a time, and placed without irons in the launch. The same plan was pursued from time to time, till at length the whole numbers were removed. The hulks were the *Ethalion*, *Narcissus*, *Dromedary*. A master was on board in charge of each, under the general supervision of Captain Chapman, the Governor of the Penitentiary. There was immediately a further great deterioration in the conduct of the prisoners. Not only were they mischievous, as appeared from their favourite pastime, which was to drag off one another's bed-clothes in the middle of the night, by means of a crooked nail attached to a long string,* but the decks which they occupied were for ever in a state of anarchy and confusion. "All the prisoners below," says the overseer of the *Ethalion*, "conducted themselves last night in a most improper manner, by singing obscene songs and making a noise. When summoned to appear on the upper deck, they treated the master with defiance and contempt, so that the ringleaders had to be put in irons." But it was a mere waste of time to confine prisoners below. There was no place of security to hold them. "A number of prisoners broke their confinement by forcibly removing the boards of the different cabins in which they were placed in the cockpit, and got together in the forehold, where they were found by Mr Lodge at half-past nine at night." Another prisoner, a day or two later, confined in the hold, broke out, and proceeded through the holds and wings of the ship till he arrived at the fore hold, where another prisoner, Connor, was confined for irreverent behaviour during chapel. Connor

* The prisoners called this in their own slang, "toeing and gooseing."

tore up the boards fastened on to the mast-hatch, and admitted Williams to him. "When Williams' escape was discovered," says the overseer, "I searched for him in the bottom of the ship. On my arriving at the bulkhead of the fore hold I inquired of Connor if Williams was with him. He declared he was not, calling on God to witness his assertion; but on opening the hatch, to my astonishment I found him there. I ordered him back to the place in which he was first confined; on which he used the most abusive language, saying, by God, when he was released he would murder me and every officer in the ship. I talked mildly to him, and desired him to return to the place in which he had been confined. He at last complied, using the most abusive and threatening language. When he had returned to the after hold, I put the leg-irons on him to prevent his forcing out a second time, giving him at the same time to understand, that if he would behave himself they would soon be taken off. But he was still turbulent, breaking everything before him. I then put handcuffs on him, notwithstanding which he broke out at 9 P.M., disengaged himself from the handcuffs, and got a second time to the fore hold, where I again found him, and insisted on his returning. He kicked me very much in the legs, using, as before, threatening language. I then found it necessary to use force, and taking guards Wadeson and Clarke with the steward, we again removed him to his first place of confinement. He appeared so resolute and determined to commit further depredations, that I fastened his leg-irons to a five-inch staple in the timber of the hold, which staple he tore up during the night, and again passed to Connor in the fore hold.

"The prisoners were assembled upon deck, and were expostulated with, both by Mr. Holford and Captain Chapman, and exhorted to avoid insubordination on pain of certain punishment." Mr. Lodge also reported five prisoners for highly improper and reprehensible conduct, by making use of profane expressions and shocking language when interrogated as to their knowledge of the catechism. These five men Mr. Holford individually addressed, and all promised they would endeavour to learn it, "except Isaac Squince, who appears a hardened wretch."

"Lieut. Goulding of the navy came on board to prefer a complaint against some of the prisoners for repeatedly insulting him as he passed the ship in his boat. It appears that the lieutenant using his glass to view the ship, some of the prisoners from the ports have imitated him, by putting something to their eyes as if to quiz: at which he was greatly incensed."

On the 6th November, Mr. Lodge, who was in charge of the *Ethalion*, was drowned in coming off to the ship. The tide was running very strong, and the boat in which Mr. Lodge was became unmanageable; the current taking it between the two hulks, Mr. Lodge used the boat-hook to keep clear of the ship's sides, but missing his hold was precipitated backwards into the river. Mr. Gould, who was with him, plunged in immediately to save him, but without effect, and with difficulty saved himself. The prisoners are reported to have testified much good feeling on hearing of Mr. Lodge's fatal accident, "with the simple exception of John Lovatt, who, having expressed some indecent exultation, was immediately laid hold of by the rest of the prisoners and ducked in the water cistern, and had it

not been for the interference of the guards would have treated him much worse." A day later the prisoners sent in the following petitions, which the governor considers "so creditable, that he felt highly gratified in permanently recording them" in his Journal.

"To the Honble. Committee managing the affairs of the General Penitentiary, per the favour of Benjamin Chapman, Esquire, the Governor. Given on board the *Ethalion* Hospital Ship, 7th Nov., 1823.

"GENTLEMEN,—The undermentioned individuals, composing the prisoners of the upper deck, with feelings of the deepest commiseration for the melancholy fate of their late most worthy Master Lodge, together with all the distressing circumstances attending it, are desirous of showing some mark of gratitude for his uniform kindness; and the only means within their power of doing so, is to contribute a small sum out of their percentage (of earnings) as a reward for the recovery of his body; and should there be any overplus, to be presented to his disconsolate widow, if she will please to accept it; but in case of non-acceptance, it is their wish that it be applied towards erecting a tombstone on his grave, as a lasting monument of his worth and a token of their unfeigned respect to his memory."

The sums subscribed varied from 2*s.* 6*d.* to 5*s.* and 10*s.*, even 25*s.* A second petition set forth that the following prisoners "voluntarily subscribed the undermentioned sums to be given to the watermen employed in searching the River Thames for the body of their much lamented master, John Lodge; or as a consideration for his unhappy wife, at the discretion of the Honble. Committee, whom they humbly

hope will allow their several donations to be deducted from their percentage profit, as a token of respect for this late excellent man while living, and now unfeignedly regretted dead."

In addition to the foregoing, Morgan Williams, a prisoner pretty familiar by name, told the governor: "If I had the money, sir, I would have cheerfully subscribed as much as any man; but I am in debt to the establishment already, and putting down my name would be pretending to what I know I could not perform."

These several petitions were received with much satisfaction by the committee.

Having aired their good feelings thus, the prisoners soon returned to their normal condition of savage turbulence. On the 18th a most tumultuous noise took place on the lower deck about eight in the evening; and reiterated cries of "Murder!" "You'll throttle me," were distinctly heard from one who appeared to be almost exhausted. "I immediately assembled the guards," says the overseer, and "armed them with cutlasses, and went into the lower deck, which was in the greatest state of uproar and confusion. The prisoners were congregated at the head of the deck, holding John Pryce, who was foaming at the mouth and appeared to be in a complete state of madness." There had been a violent quarrel between this man and another named Robinson, and but for the prompt interference of the officers it is probable that murder would have been committed.

On the 27th it was found that some prisoners had made their escape from the *Ethalion* hulk. On mustering the prisoners in the morning three were missing. Search was immediately made, but they were not to be found. All the

hatches on the lower deck were secure; but it was ascertained, on examination of the after hold, that the prisoners must have made their way into the steward's store-room, where they had taken out the window. One of them then swam off to the *Shear* hulk, secured the boat, brought it to the after windows, and by that means, assisting each other, the three effected their escape. The boat belonging to the *Shear* hulk was found at the Prince Regent's Ferry House, on the Essex coast. After a close investigation it was not possible to bring the blame home to any one. All the guards proved of course that they were on the alert all night. The steward said he had had a blister on, and could not sleep a wink, but he never missed hearing the bell struck (by the watch) every quarter of an hour. Stevenson, one of those who had escaped, had always been employed in the steward's store-room, hence he knew his way about the ship. Being a sailor and a good swimmer, it was probably he who had gone to the *Shear* hulk and got a boat, taking with him one end of a rope made of hammock nettings, the other being fast to a beam in the store-room. By this rope the *Shear* hulk boat was hauled gently to the *Ethalion;* then the other two prisoners got into it, and it was allowed to drift down for some distance with the tide. No sound whatever of oars had been heard during the night by the sentries on board or on shore. The escape must have been made between 1 and 2 A.M., as at three the men were seen landing from a boat on the Essex coast.

Information of the escape soon spread among the other prisoners, and it was pretty certain that many would attempt to follow. They were reported to be ripe for any

mischief. The fire-arms were carefully inspected by the governor, who insisted on their being kept constantly in good order and "well flinted." At the same time a strict search was made through the ship, particularly of the lower deck, for any implements that might be secreted to facilitate escape. False keys were reported to be in existence, but none could be found; only a large sledge-hammer, a ripping chisel, and some iron bolts which were concealed in the caboose. A few days afterwards the master of the *Ethalion* reported the discovery of a number of other dangerous articles in various parts of the ship, several more sledge-hammers, chisels, iron bars, spike nails, etc., all calculated to do much mischief, and endanger the safety of the ship. At the same time, four prisoners were overheard planning another escape. They were to steal the key of a closet on the deck, and alter it so as to fit the locks of the bulk heads into the infirmary wards, and pass by this means to the cabin, and out through one of the ports. The key was immediately impounded, and a strict watch kept all night. Between eleven and twelve the guard reported that he heard a noise like filing through iron bars; so the master got into a boat with two others and rowed round the ship. They were armed with a cutlass and blunderbus, "which," says the master, "I particularly requested might be put out of sight." But everything was perfectly quiet on the lower deck, and on going through the upper deck the only discovery made was a prisoner sitting by a lamp, manufacturing a draught board, which he refused to part with. They left the deck quite quiet; yet at half-past three the whole place was in an uproar. A regular stand-up fight took place between two prisoners, Elgar and Blore, in which the former

got his eyes blackened and face damaged in the most shameful manner. This Elgar was the man who gave information of the projected escape, thereby incurring the resentment of the rest. It is improbable, however, that any attempt was actually intended this time, though "escape" was in every mouth, and had been since the event of the previous Thursday.

Speaking of the hulks at this time, the governor says, "It is but too true that little if any discipline exists among the prisoners, and that the state of insubordination is extremely alarming. This may, in a great degree, be attributed to the lamentable state of idleness, the facility of communicating with each other, concerting and perpetrating mischief, and the inadequate means of punishment when contrasted with the hulks establishment."

Four days afterwards the master of the *Ethalion* hulk reports that the disorderly conduct of the convicts in the upper deck still continued; their language to their officers was always contemptuous and insolent; they seldom or ever did what they were told; and if put under restraint or in close confinement, they generally managed to tear down the bulk head and smash everything in their reach. The women were not much better. When a draft of male prisoners going to the *Ethalion* passed the females' hulk, the whole of the women commenced to shout, and yell, and wave handkerchiefs. They abused the deputy matron with choice invectives, and appeared quite beyond control.

But by this time news had come of the missing three. At nine o'clock one night a person called at the Penitentiary and asked to see the governor in private. He was shown into the office. "You had three prisoners escape

from Woolwich lately? One of them is my brother, Charles Knight. I am very anxious he should be brought back. What is the penalty for escaping?" He was informed, also that there was a charge of stealing from the steward's store. Knight's brother said he would willingly pay the damage of that, and wished to make conditions for the fugitive if he was given up. The governor would not promise beyond an assurance of speaking in Knight's favour to the committee; and said all would depend upon his making a full and candid disclosure of all the circumstances connected with the escape, and to give all the information in his power which would lead to the arrest of the other two. The visitor then observed that his brother was very young, and by no means a hardened offender; that he was led into this act and was sorry for it; that none of his relations would harbour him, and that he was quite ready to return. Next morning he was brought back by his mother and brother, and gave immediately a full account of the affair. The escape had been concerted a full week before it was carried into effect, and had been arranged entirely by Stevenson, who having been employed in the store-room, had purloined a key, filed out the wards and made a skeleton key, with which he opened the hatches. The rope was made out of spun yarn, found in the hold by Stevenson, who also got there the sledge-hammer, chisel, and iron spikes. There was not a soul moving or awake on the lower deck, and no one knew of their intention to escape. They then got away in a boat, just as had been surmised. On landing at the new ferry on the Essex coast, they went across the chain pier, Payne changing a shilling to pay the toll. This was all the money

they had amongst them, and had been conveyed to Payne by some person in the ship. They then proceeded to London, and were supplied with hats by a Jew named Wolff, living in Somerset Street, Whitechapel, to whose house they were taken by Stevenson. Afterwards they went to the West End. Payne separated from them in Waterloo Place, saying he meant to go to a brother living at Stratford-on-Avon. Stevenson then took Knight to his brother's (Stevenson's), a working jeweller, who gave them money to buy clothes. They hid together for the night in a house in George Street, St. Giles; and then Knight went home to his aunt's in Hanover Street, Long Acre, but was refused admittance. The same happened with all his other relatives, and at last he was compelled to give himself up in the manner described. Through information which he gave the others also were apprehended.

It was now found that there must be some superior authority resident on the spot. "The visits of the governor to these hulks," say the committee in their report of 6th March, 1824, "though frequent, were not sufficient to preserve order in the ships, and it was quite necessary to have a person, with the full authority of the governor to inflict punishment, resident on board one of these vessels; and there appearing to be no power in the committee under the existing Act of Parliament either to appoint a second governor, or to authorize any person not being governor to inflict punishment, it was arranged between the committee and Captain Chapman that he should resign the situation of governor for a time, in order that the office might be exercised by a person who should continually reside on board one of these vessels." Accord-

ingly Captain Chapman resigned his appointment *pro tem.* into the hands of a Mr. Kellock, a hulk master from Sheerness, who was said to have had great experience. This was on the 14th December, 1823, on which date his Journal, from which I shall frequently quote, takes up the story. No improvement in conduct marked the change in rulers. On the 21st Mr. Kellock reports: "I heard this morning an extraordinary noise on the upper deck. In a moment I called the guards and went below. All was quiet, but on searching, I found a prisoner lying almost lifeless, who had been most unmercifully beaten by his fellows. I interrogated them, but could not find the parties concerned."

The numbers on board the several ships were in all 684. They were not classified; the distinctions of the Penitentiary, as well as the dress, were done away with. All alike were clothed in a coarse brown suit. They were kept in divisions of seventy-five, with a wardsman in charge of each division; besides which, a number of well-conducted prisoners were appointed to keep watch during the night, who were to report any irregularity that might occur during the watch. There was no employment for the prisoners: the making of great coats was tried, but it did not succeed. There was no work to be got on shore, and it was doubtful whether these prisoners could be legally employed on shore. In fact the whole establishment was considered a sort of house of recovery, and all the prisoners were more or less under hospital treatment throughout. The general conduct of the prisoners was "unruly to a degree, and in some instances to the extent of mutiny." This one case, reported in writing by the master of the *Ethalion:* "This morning, soon after the lower-

deck prisoners were let up to wash themselves, three of them attempted to make their escape, by getting down the ship's side, and then into the waterman's boat, which was alongside without oars. Being observed by the guard, two returned, whilst one strove to make his escape. He was pursued by two turnkeys, who took him and brought him back, when he was placed in confinement. Shortly afterwards, this man and another, who had previously been in confinement, were liberated by their fellow-prisoners on the lower deck, by forcibly entering into the hold and making their way through the bulkhead which separates the dark cells from the hold. They have the prisoners now in their possession, and will not deliver them up. They continue to be in a state of mutiny." Mr. Kellock was immediately summoned to the scene. He found the prisoners ranged on the deck, with the two men in their possession, and peremptorily refusing to give them up. The guard of marines was then sent for from shore, while the chaplain and surgeon remonstrated with the prisoners, pointing out the dreadful consequences certain to follow military interference. But they spoke to no purpose, and were about to leave the ship, unwilling to witness the shedding of blood, when a last effort was more successful. The two prisoners were given up by the rest, who now expressed sorrow for their atrocious conduct. Nothing however came of all this, beyond general exhortation. The prisoners were all mustered and harangued, but as they promised to behave better in future, the affair passed over.

The state of affairs was shortly this: if on deck, the prisoners hallooed and jeered at all boats or passing ships;

if below, they massed together, disobeyed all orders, openly hissed their officers and pelted them with coals. The crowding was so great that it was almost impossible to single out offenders. The ill-conducted were when practicable placed in irons, but generally without effect. The bad became worse, not better. The governor's Journal continues to tell the same tale:—

"*December* 29*th*.—At three o'clock this afternoon, when the prisoners from the upper deck went up for air, I went below with two guards to search for articles which prisoners were said to have concealed for purposes of escape. We had not been there for a few moments when the prisoners on deck lowered all the ports to prevent us from seeing anything." (They had previously torn off the locks on the hatchway, and pursued the governor below in a body. Upon this occasion nails, chisels, cards and dice were found secreted.) "Two such unexpected instances of cool and deliberate insolence, contempt, and mutiny I have never witnessed. I immediately applied for a military guard. Those concerned are probably the youngest, or those who have least time to serve."

"*January* 2*nd*, 1824.—The conduct of the prisoners has been very refractory on board the *Dromedary*. In one instance they pressed so very close on the sentinel, and were so very disorderly and in some instances so abusive, that he was under the necessity of giving the worst of them a stab with his bayonet." Those on deck now tried to tear off the hatches, and called upon those below to come up and attack the sentry, but without effect. Charles Moore, one of twenty-eight removed from the *Dromedary* to the *Ethalion*, got into the lower deck after being told off for

the upper, and refused to quit it when ordered, running in among the other prisoners, and hoping they would protect him.

About this time Mr. Kellock wrote to the committee as follows:—

"GENTLEMEN,—Since you were pleased to appoint me to the governorship of prisoners on board the hospital ships I turned my whole attention to the care and management of them, and had, until a few days ago, some faint hopes, with some good effect; but the very recent disorderly conduct of the prisoners on board the *Dromedary* has in a great measure damped my hopes. . . . I have now been ten years among men of a similar description, and have always found the London prisoners and the younger the worst: they possess very bad principles connected with bad habits, and wherever they are they are a pest to all with whom they are connected. I shall not relax in any part of my duty, and hope to effect the aim in my appointment."

Several of the prisoners next day refused to come up on deck to get their hammocks down, declaring they were afraid of the soldiers. "I went myself," says the governor, "accompanied with a number of men; but they still refused to come up and be mustered quietly, complaining still of the soldiers. The soldiers were then ordered to stand to their arms; upon which the prisoners gave way."

"*January 5th.*—At 7.30 A.M. the waterman of the *Dromedary* was lying alongside in his wherry, and saw the wherry belonging to the *Ethalion* drifting past with the tide. Thinking the other waterman was in it, he cried out, 'Holloa, Joe, is that you?' 'Whist! Hold your tongue,'

said the man in the boat; and on closer inspection he proved to be a prisoner, Henry Smijick by name, of the *Ethalion*. The waterman gave the alarm, and promptly giving chase captured the fugitive. The prisoners had broken open the hatchways and set Smijick loose, who got away unperceived. When Smijick was sent back the other prisoners again broke open the black holes and set him loose, nor would they give him up till a military guard had been fetched from the shore. . . . I am sorry to say the ships are not fitted by any means in a secure way. Men determined to escape could very easily at any time make their way through the partitions, although I do not conceive they are so much bent on escape as on insolence and refractory conduct."

"9*th*.—Mr. Parr, master of the *Ethalion*, reports that he is three prisoners short of his muster. At 4 A.M., as soon as it was daylight, he saw the waterman's boat on the opposite side of the river, a little above the *Ethalion*. The guards relieving at 4 A.M. noticed the boat was gone. Some bars were found removed from the after port on the lower deck, and through this place the prisoners had doubtless got out. Officers were sent at once in search. The opposite shore was looked at, as it was possible the men were lying up close. The prisoners were, however, traced as far as the toll bar; and as they had no money to pay the toll they gave the toll keeper a small pen-knife instead of coppers. No further tidings being received, a guard named Richard Armstrong, who was well acquainted with all the places of resort for thieves in London, was sent to town in search of the fugitives."

"13*th*.—Prisoners on board the *Ethalion* much unsettled

still, and showing great disposition to attempt further escape."

"14*th*.—The prisoners on board the *Dromedary* continue to be orderly and quiet. . . . I am disposed to think they have made up their mind to behave themselves well in future. . . . I attribute it in some measure to the attention and advice of the Rev. Dr. Bennett, and themselves being employed at school, and the determination I have made in the case of any disorder to have a military guard on board, whom the prisoners seem to be afraid of."

"17*th*.—Guard Armstrong returned with prisoner Dickenson, one of those who escaped on the 9th, and who had been apprehended at St. Albans."

On the 23rd the governor reports the prisoners, with some few exceptions, to have conducted themselves with some degree of order. "I allow them on deck for air and exercise, from sunrising to sunset, with the exception of one hour for dinner and half an hour for breakfast. I allow them all the exercise on deck and below which the nature of their situation will admit of. There is a great want of more, to promote health and make them sleep and be still at night. I am continually amongst them in the day time, from ship to ship, inquiring into their conduct, and adjusting differences when any—and such will, and do too often occur, amongst people of such a description, without employment, well fed, and to all appearance improving.

"It has been observed that they wear out or destroy more clothes than formerly."

"24*th*.—Elias Thompson behaved in a most mutinous and contemptuous manner, cutting up his jacket. On being

ordered below to fetch it he refused to go. When ordered into confinement he made a grab at a warder's watch-chain, pulled the watch out of his pocket, and nearly succeeded in throwing it overboard."

"29th.—At two o'clock P.M., I came out from the cabin, and asked for the waterman to get his boat ready to take me to the *Ethalion*. I was told by Richard Armstrong that the boat was not alongside. I asked where she was. He told me off at the moorings. I desired Samuel McGill, the guard, to call the guard in the jolly-boat, which was on shore for the milk, to bring the wherry alongside. When he went forward to call for the jolly-boat he saw her coming. While he was calling for the boat, Richard Armstrong said the boat belonging to the workmen of the dockyard had broke adrift. I said to Armstrong, 'Are you sure the prisoners have not taken her?' I had hardly done speaking, when Samuel McGill, guard, called to me and said, "Look; see there are three prisoners in the dockyard boat, landing.' I immediately got a boat passing, and sent after them, and ordered all the prisoners to muster, and found three absent: Thomas Nannody, Jabez Pickering, and Robert Hunter." Six guards were sent in chase, and within a couple of hours two were brought back. This escape occurred entirely through the negligence of the guards, one of whom had left his post at the time.

"29*th*.—There seems to be an increase of impatience amongst the prisoners, both male and female, and they aim at stratagem to accomplish what they suppose cannot be done otherwise; and there seems to be in them (with everything that's bad), a disposition to reflect, and very improperly, on their officers and guards; and always bringing

forward their past sufferings, and holding out that their impaired constitutions will never be recovered; and on such they ground their hopes of success for mitigation of punishment, or to shorten their term of imprisonment. I am aware that gratitude is no part of their composition, and that they have been and now are very much indulged."

"*February 5th.*—At ten o'clock this morning, when passing the *Ethalion* in the wherry, I heard an unusual noise, and saw all the prisoners from the lower deck in the gangway on the main deck, and saw some rags thrown out of one of the lower deck ports; then saw one of the lower deck ports lowered down, and then all, and in another moment all the upper deck. . . . It appeared on inquiry that the officers were searching the lower deck, and the prisoners took this means of preventing their seeing anything. When the chief culprit was discovered, and was about to be confined, he assaulted an officer, and the others attempted to rescue him."

On the 6th the governor reports an increase of murmuring and dissatisfaction among the prisoners; and they pretended to feel an increase of bowel complaint, which was clearly assumed, as was proved by their manner, activity, and general appearance. "Their aim is by such means to obtain their liberty. I never experienced so much insolence and contempt as some of them from time to time evince. . . . The waste of clothes is three times more than when in the Penitentiary. Caps are lost or thrown overboard in great numbers, clothes destroyed by romping on deck and below with one another."

"*12th.*—So very wicked and wildly disposed are some of them at times, that I am under the necessity, when the

hatches are unlocked, to have the hatch bar and the locks brought up to the quarter-deck, as, if left, they would certainly be thrown overboard." The bell had to be unhung always, as it was within their reach and "in danger of a watery grave."

"16*th.*—On going to the upper deck of the *Ethalion*, I saw a party of prisoners at a table with cards. They were well executed (the cards), of writing-paper. I had a wish to know what the inside was made of, and when examined, to my astonishment found it was principally of Prayer-Books cut to pieces."

"18*th.*—An attempt was made by a body of prisoners to rescue Anthony Beacham from the dark cell, and with this in view had forced the lock of the hatchway leading there. They were discovered in time, and retreated *en masse*. It was too evident that two were the ringleaders, and these they refused to give up. Mr. Goodfellow, the master, was desired to go down with two guards, and bring them up instantly, still without success. All the guards were then armed, and the governor himself went down and captured the offenders, carrying them off to the dark cells.

"As soon as we were gone up, the whole of the deck —eighty-five prisoners—behaved in the most mutinous manner, and unshipped the ladder to prevent our getting into the deck that way. Some part of them broke open a part of the hatchway, which prevents communication between the upper deck and the after part of the lower deck; another part of them made the attempt to break down the bulkhead which divides the fore part of the lower deck from the after part. They at the same time secured the door on the after part of the deck which is in-

tended for the guards to go in at in the event of any disorder amongst them. During this time I was apprehensive all the decks would be thrown into one. I immediately sent to the office of the guards at the dockyard for a guard of marines, which came in a few minutes. When the guards came they were put in charge of the deck, and then we proceeded to force our way with our own guards to the lower deck aft. We found no access there in the regular way by the hatchway or the door aft; the ladder being unshipped and the door secured. I ordered a blunderbuss without shot to be fired down the hatchway to clear a way, and then made an attempt to ship the ladder, but could not, they had got it so well secured; nor could we get into the deck that way. I then had recourse to the door aft, and was obliged to use the saw, axe, and crowbar before I could force it open, and got into the deck amongst them. With the assistance of the officers and guards, I selected some of the ringleaders, seven in number, and put them into the disorderly ward on bread and water, and ironed them on both legs. They continued disorderly. . . . When I visited the deck the whole of the prisoners were in a very great perspiration from the great exertions they had been making to force the bulkheads."

"20*th*. The whole of the prisoners are evidently getting better in many respects. They came forward in a body this morning on behalf of their fellow-prisoners, acknowledging their own improper conduct, and promising to behave better in future."

For a time, indeed, the conduct of all improved. They were in hopes that they were about to get some remission of their sentences, and feared lest misconduct should

militate against their release. "The whole are in full expectation that something will be done for them by Parliament, in consequence of their very great sufferings." The tenour of all their letters to their friends was to the same effect. They were, however, doomed to disappointment; for on the 14th April, Mr. Kellock states, "This morning I received information that the bill for the labour and removal of the male convicts under the Penitentiary rules, and at present on board the prison ships, had received the Royal assent. When informed that they were to be removed to labour at the hulks, they received the news with some degree of surprise and astonishment." But the same day the exodus, took place and they are reported to have gone away "very quietly and resigned."

THE INNER GATE.

CHAPTER VI.

THE PENITENTIARY RE-OCCUPIED.

No pains were spared to make the Penitentiary sweet and fit for re-occupation. A Parliamentary Committee—that great panacea for all public ills—had however already reported favourably upon the place. They had declared that no case of local unhealthiness could be made out against it; nor had they been able to find "anything in

the spot on which the Penitentiary is situated, nor in the construction of the building itself, nor in the moral and physical treatment of the prisoners confined therein, to injure health or render them peculiarly liable to disease."

Yet to guard against all danger of relapse, they advised that none of the old hands should return to the prison, and recommended also certain external and internal improvements. Better ventilation was needed; to obtain this they called in Sir Humphrey Davy, and gave him *carte blanche* to carry out any alterations. Complete fumigation was also necessary; and this was effected with chlorine, under the supervision of a Mr. Faraday from the Royal Institution. To render innocuous the dirty ditch of stagnant water—dignified with the name of moat—which surrounded the buildings just within the boundary wall, it was connected with the Thames and its tides. Additional stoves were placed in the several pentagons, and the dietary reorganized on a full and nutritive scale, in quality and quantity equal to that in force before the epidemic. Provision was also made to secure plenty of hard labour exercise for the prisoners daily, by increasing the number of crank mills and water machines in the yards. More schooling was also recommended, as a profitable method of employing hours otherwise lost, and breaking in on the monotony and dreariness of the long dark nights. The cells, the committee thought too, should be lighted with candles, and books supplied "of a kind to combine rational amusement, with moral and religious instruction." Indeed there was no limit to the benevolence of these commissioners. Adverting to the testimony of the medical men they had examined, who were agreed that

cheerfulness and innocent recreation were conducive to health, they submitted for consideration, whether some kind of games or sports might not be permitted in the prison during a portion of the day. Fives-courts and skittle-alleys were probably in their minds, with cricket in the garden, or football during the winter weather. As one reads all this, one is tempted to ask whether the objects of so much tender solicitude were really convicted felons sentenced to imprisonment for serious crimes. Thus comfortably lodged and warmly clad, fed with so much wasteful luxury that daintiness soon supervened, their every want thus tenderly forestalled—the condition, but for one drawback, of these rogues was far superior to that of soldiers or sailors, or the honest poor who had done no wrong; that drawback was the loss of liberty, yet many would have cheerfully sacrificed it for the ease and comfort of the Penitentiary.

It must not, however, be forgotten that the inmates of Millbank were people specially selected as capable of reformation. Whatever we may have come to think of the efficacy of the power of persuasion to reform the criminal classes, it was thoroughly believed in then. A modern writer who has had much experience, says it is easier to tame a wolf into a house dog, than make a thief into an honest man.* They were more hopeful at the beginning of this century; probably because the experiment was still new, and barely tried. It was confidently expected then, that a year or two in Millbank would cure the most confirmed criminal. Of the realization of such hopes, or their failure, I shall have to speak

* Convicts. By a Practical Hand.

in a later chapter. To give the system of the Penitentiary, then, every chance of success, the most hopeful material only was committed to it, drawn from the following classes: 1. Young persons; 2. Adults of both sexes convicted of first offences; 3. Persons "who from early habits and good character, or from having friends and relations to receive them at their discharge, afford reasonable hope of their being restored to society corrected and reclaimed by the punishment they had undergone." What kind of punishment it was, and how these precious subjects bore it, we shall soon have abundant opportunity of observing.

The rule of Governor Chapman was essentially considerate and mild. There was no limit to his long-suffering and patience. Though by all the habits of his early life he must have learnt to look at breaches of discipline with no lenient eye, we shall find that he never punished even the most insubordinate and contumacious of the ruffians committed to his charge till he had first exhausted every method of exhortation or reproof; and when he had punished he was ever ready to forgive, on a promise of future amendment, or even a mere hypocritical expression of contrition alone. It is now generally admitted that felons cooped up within four walls can be kept in bounds only under an iron hand. Captain Chapman acted otherwise; the committee which controlled him fully endorsing his views. For a long time to come the prison was like a bear garden; misconduct was rife in every shape and form, increasing daily in virulence, till at length the place might have been likened to Pandemonium let loose. Then more stringent measures were enforced, with satisfactory results, as we shall see; but for many years there was

that continuous warfare between ruffianism and constituted authority which is inevitable when the latter savours of weakness or irresolution.

Feigned suicides were among the earliest methods of annoyance. It is not easy to explain exactly what end the prisoners had in view, but doubtless they hoped to enlist the sympathies of their kind-hearted guardians, by exhibiting a recklessness of life. Those who preferred death to continued imprisonment must indeed be miserably unhappy, calling for increased tenderness and anxious attention. They must be talked to, petted, patted on the back, and taken into the infirmary, to be regaled with dainties, and suffered to lie there in idleness for weeks. So whenever any prisoner was thwarted or out of temper, often indeed without rhyme or reason, and whenever the fancy seized him, he tied himself up at once to his loom, or laid hands upon his throat with his dinner-knife, or a bit of broken glass. Of course their last idea was to succeed. They took the greatest pains to insure their own safety, and these were often ludicrously apparent; but now and then, though rarely, they failed of their object, and the wretched victim suffered by mistake. Happily the actually fatal cases were few and far between.

This fashion of attempting suicide was led by a certain William Major, who arrived from Newgate on the 8th October, 1824. A few days afterwards he confided to the surgeon that he was determined to make away with himself; "that, or murder some one here; for I'd sooner be hanged like a dog than stay in the Penitentiary." Such terrible desperation called of course for immediate expostulation, and Captain Chapman proceeded at once to Major's

cell. The prisoner's knife and scissors were first removed; then the governor spoke to him. Major replied sullenly; adding, "I've made up my mind: I'd do anything to get out of this place; kill myself or you. I'd sooner go to the gallows than stay here." "I reasoned with him," says Captain Chapman in his Journal, "for a length of time on the wickedness of such shocking expressions; telling him there was only one way of shortening his time, and that was by good conduct. I told him his threats were those of a silly lad, which I should however punish him for." So Major was carried off to a dark cell, but not before the governor had said all he could "think of, to reason him out of his evil frame of mind." He remained in the dark two days, and then, having expressed himself penitent and promising faithfully better behaviour, he was released. For three weeks nothing further occurred, and then, "Suddenly," says the governor, "as I was passing through a neighbouring ward, a turnkey called to me, 'Here, here, governor! bring a knife. Major has hanged himself.' He had made himself fast to the cross beam of his loom. The action of his heart had not however ceased, though the circulation was languid and his extremities cold. He was removed at once to the infirmary, and as soon as animation was restored, the governor returned to the prisoner's cell, and then found that "the hammock lashing was made fast in two places to the cross beam from the loom to the wall; in one was a long loop, in which Major had placed his feet; in the other a noose, as far distant from the loop as the length of the beam would permit, in which he had put his head; a portion of the rope between noose and loop he had held in his hand." It was quite clear, therefore, that he

had no determined intention of committing suicide; besides which he had chosen his time just as the turnkey was about to visit him, and he had eaten his supper, "which," says the governor, "was no indication of despair." Major soon recovered, and pretended to be sincerely ashamed of his wicked behaviour.

Not long afterwards a man, Combe, in the refractory cell, tries to hang himself with a pockethandkerchief. Placing his bedstead against the wall, he had used it as a ladder to climb up to the grating of the ventilator in the ceiling of his cell. To this he had made fast the handkerchief, then dropped; but he was found standing calmly by the bed, with the noose not even tight. Next a woman, Catherine Roper, tries the same trick, and is found lying full length on the floor. She was found to be quite uninjured too. Next, however, comes a real affair; and from the hour at which the act is perpetrated all doubt of intention is unhappily impossible. Lewis Abrahams, a gloomy, ill-tempered man, is punished for breaking a fly-shuttle; again for calling his warder a liar. That night he hangs himself. He is found quite dead and cold, partly extended on the stone floor, and partly reclining as it were against the cell wall. He had suspended himself by the slight nettles (small cords) of his hammock, which had broken by his weight. The prisoner in the next cell reported that between one and two in the morning he had heard a noise of some one kicking against the wall; and then no doubt the deed was done.

After this unhappy example attempts rapidly multiplied, though happily none were otherwise than feigned. One tries the iron grating and a piece of cord; another uses his cell

block as a drop, but is careful to retain the halter in his hands; a third, Moses Josephs, tries to cut his throat, but on examination nothing but a slight reddish scratch is found, which the doctor was convinced was done by the back of the knife. In all these cases immediate and anxious attention is given by all the officials of the Penitentiary. The governor himself, who never gave himself an hour's relaxation, and was always close at hand, was generally the first on the scene of suicide. If there was but a hint of anything wrong he was ready to spend hours with the intending *felo-de-se*. Thus in Metzer's—a fresh case: a man who would not eat, was idle too, morose and sullen, "though spoken to always in the kindest manner." No sooner was it known that he was brooding over the length of his confinement—his was a life sentence—and had hinted at suicide, than the governor spent hours with him in exhortation. Metzer, being a weaver by trade, had been placed in a cell furnished with a loom; from this he was to be changed immediately to another, lest the beam should be a temptation to him; but the governor, being uneasy, first visited him again, and found him, though late at night, in his clothes perambulating his cell. On this his neighbour was set to watch him for the rest of the night, and the doctor gave him a composing draught. Next morning, when they told him he was to leave his cell for good, he became outrageously violent, and assaulted every one around. He was now taken forcibly to the infirmary, and put in a strait-waistcoat; whereupon he grew calmer and promised to go to his new cell, provided he was allowed to take his own hammock with him. It struck the governor at once that something might be concealed

in it, and it was searched minutely. Inside the bed-clothes they found a couple of yards of hammock lashing, one end of which was made into a noose, "leaving," the governor remarks, "little doubt of his intention."

But to meet and frustrate these repeated attempts at suicide were by no means the governor's only trials. The misconduct of many other prisoners must have made his life a burthen to him. Thefts were frequent: these fellows' fingers itched to lay their hands on all that came in their way. The tower wardsman—a prisoner in a place of trust—steals his warder's rations; others filch knives, metal buttons, bath brick, and food from one another. Then there was much wasteful destruction of materials, with idleness and carelessness at the looms, aggravated often by the misappropriation of time by the manufacture of trumpery articles for their own wear: one makes himself a pair of green gaiters, another a pair of cloth shoes, a third an imitation watch of curled hair, rolled into a ball, which hangs in his fob by a strip of calico for guard.

These were doubtless offences of a trivial character. The anxiety evinced by many to escape from durance was a much more serious affair. I shall have occasion further on to recount more than one instance of the surprising ingenuity and unwearied patience with which prisoners sought to compass this, the great aim and object of all who are not free. As yet, however, the efforts made were tentative only and incomplete. To break a hole in the wall, or manufacture false keys, was the highest flight of their inventive genius, and the plot seldom went very far. One of the first cases was discovered quite by chance. On searching a prisoner's cell, some screws, a few nails, and

two pieces of thick iron wire were found concealed in his loom; and in one of his shoes as it hung upon the wall, a piece of lead shaped so as to correspond with the wards of a cell key. This the prisoner confessed he had made with his knife from memory, and altogether without a pattern. "I have a very nice eye," he said, "and I have always carefully observed the keys as I saw them in the officers' hands." "And what did you mean to do with the key?" he was further asked. "To get away, of course." "How?" "I can open the wooden door when I please, and then I should have unlocked my gate."* On examination a hole was found in his door, just below the bolt and opposite the handle; through this, by means of a narrow piece of wood, a knitting needle in fact, he could move back the bolt whenever he pleased. Once out in the ward, he meant, with a file he had also secreted, to get through the bars of the passage window. The wards of this key were fastened into a wooden handle, which was also found in his cell. Another prisoner, having been allowed to possess himself of a large spike nail, which had been negligently left about in the yard, worked all night at the wall of his cell, and soon succeeded in removing several bricks. The hole he made was large enough to allow him passage. Besides this, from the military great coats, on which he was stitching during the day, he had made himself a coat and trowsers. He might have actually got away had not a warder visited his cell to inspect his work, and taking up the great coats as they lay in a heap in the corner, discovered the disguise beneath, also the spike nail, and the

* Every cell at Millbank has two doors: one of wood, next the prisoner, the other a heavy iron trellis gate. The former is closed by a running bolt; the gate has a double lock.

rubbish of bricks and mortar from the hole. More adventurous still, a third prisoner proposed to escape by stealing his warder's keys. Failing an opportunity, he too turned his attention to making false ones; and for the purpose cut up with scissors his pewter drinking can into bits. By holding the pieces near the hot irons he used for his tailoring, he melted the metal, and ran it into a mould of bread. Information of this project was given by another prisoner in time to nip it in the bud. Another, again, had been clever enough to remove a number of bricks, and would have passed undetected, had not the governor by chance, when in his cell, touched the wall and found it damp. A closer inspection showed that the mortar around the bricks had been picked out, and the joints filled in by a mixture of pounded mortar and chewed bread. On the outside was laid a coating of whiting, such as was issued to the prisoners to help them in cleaning their cans.

In some mischief of this kind, one or other of the prisoners was perpetually engaged. Cutting up their sheets to fabricate disguises; melting the metal buttons, as the man just mentioned had melted his pewter can; laying hold of files, rasps, old nails, scissors, tin, copper wire, or whatever else came handy; and working always with so much secrecy and despatch, that their plans were discovered more by fortune generally, than good management. In those days the best methods of prison discipline were far from matured. We know now that the surest preventives against escape, are repeated and unexpected searchings, with continuous vigilant supervision. A prisoner to carry out his schemes must have leisure, and must be left to himself to work unperceived. By the practice of

the Penitentiary, prisoners had every facility to escape; and we shall find ere long, that they knew how to make the most of their advantages. For the present, all the good luck was on the side of the gaolers.

But at this juncture a new trouble threatened all the peace and comfort of the place. The prisoners seem to have grown all at once alive to the power they possessed of combination. It had been suspected for some time that a conspiracy was in progress among the denizens of D Ward, Pentagon 2, and a minute search of the several cells brought to light a number of clandestine communications. These, written mostly on the blank pages of Prayer-Books, and spare copy-book leaves, were all to the same effect: exhortations to riot and mutiny. A certain George Vigers was the prime mover; all the letters, which were very widely disseminated, having issued from his pen. It had long been openly discussed among the prisoners that the hulks were pleasanter places than the Penitentiary. Here, then, was an opportunity of removal. All who joined heartily in the projected commotion would draw upon themselves the ire of the committee, and would certainly be drafted to the hulks.

To explain what might otherwise appear unintelligible, it must be mentioned here, that the punishment implied by a sentence to the hulks was by no means of a terrifying character. A year or two later, the report of the Parliamentary Committee on Secondary Punishments* laid bare the system, and expressed their unqualified disapprobation of the whole treatment of convicts on board the hulks. It being accepted that the separation of criminals, and their

* 1832.

severe punishment, are necessary to make crime a terror to the evil doer, the committee pointed out that in both these respects the system of management of the hulks was not only necessarily deficient, but actually inimical. "All that has been said of the miserable effects of the association of criminals in the prisons on shore, the profaneness, the vice, the demoralization that are its inevitable consequences, applies in the fullest sense" to the hulks. The numbers in each ship vary from eighty to eight hundred. The ships are divided into wards of from twelve to thirty persons; in these they are confined when not at labour in the dockyard, and the evil consequences of such associations may easily be conceived, even were the strictest discipline enforced. But this was far from being the case. "The convicts after being shut up for the night are allowed to have lights between decks, in some ships as late as ten o'clock; although against the rules of the establishment, they are permitted the use of musical instruments; flash songs, dancing, fighting, and gaming take place; the old offenders are in the habit of robbing the new comers; newspapers and improper books are clandestinely introduced; a communication is frequently kept up with their old associates on shore; and occasionally spirits are introduced on board. It is true that the greater part of these practices are against the rules of the establishment; but their existence in defiance of such rules shows an inherent defect in the system. But the indulgence of purchasing tea, bread, tobacco, etc., is allowed, the latter with a view to the health of the prisoners; the convicts are also allowed to receive visits from their friends, and during the time they remain, are excused working, sometimes for several days. Such communications can

only have the worst effect. It is an improper indulgence to people in the position of a convict, and keeps up a dangerous and improper intercourse with old companions. The most assiduous attention on the part of the ministers of religion would be insufficient to stem the torrent of corruption flowing from these various and abundant sources; and but little attention is paid to the promotion of religious feelings, or to the improvements of the morals of the convicts." It was plainly seen that the convicts were also allowed to earn too much money—threepence a day to convicts in the first class, three halfpence to second; out of which the first got sixpence a week, and the latter threepence, to lay out in the purchase of tea, tobacco, etc., and the remainder was laid by to be given to them on their release. They were supposed to work during the day at the arsenals and dockyards, but "there was nothing in the nature or severity of their employment which deserves the name of punishment or hard labour." The work lasted from eight to ten hours, according to season; but so much time was lost in musters, and going to and from labour, that the summer period was only eight hours and three quarters, and winter six and a half. As common labourers work ten hours, and when at task work or during harvest much longer, the convicts could hardly be said to do more than was just sufficient to keep them in health and exercise; indeed, their situation "cannot be considered penal; it is a state of restriction, but hardly of punishment."

Thus the committee described that the criminal sentenced to transportation for crimes to which the law affixes the penalty of death, passed his time, well fed, well clothed, indulging in riotous enjoyment by night, with moderate

labour by day. No wonder that confinement on the hulks failed to excite a proper feeling of terror in the minds of those likely to come under its operation. The hulks were indeed not dreaded; prisoners describe their life in them as a "pretty jolly life." If any convict could but overcome the sense of shame which the degradation of his position might evoke, he would feel himself to be better off than large numbers of the working-classes, who have nothing but their daily labour to depend on for subsistence. At the dockyards, among the free men the situation of a convict was looked upon with envy; and "many labourers would be glad to change places with him, and would be much better off than they were before." *

It was not strange, then, that the discontented denizens of the Penitentiary found even the moderate rigour of that establishment too irksome, and that they were eager to be transferred to the hulks.

Towards the end of September, 1826, came the first indications of disturbance. A prisoner having smashed his bedstead, demolishes also the iron grating to his window, and thrust through it his handkerchief, tied to a stick, shouting and hallooing the while loud enough to be heard in Surrey. The same day, Hussey, another notorious offender, returning from confinement in the dark, is given a pail of water to wash his cell out, but instead, discharges the whole contents over his warder's head. Before he could be secured he had destroyed everything in his cell, and had thrown the pieces out of the window. Next, a number of prisoners during the night take to rolling their cell-blocks and rattling their tables about. By this time

* Evidence of Mr. Long, master shipwright of Woolwich dockyard.

the dark cells have many occupants, who spend the night in singing, dancing, and shouting to each other.

Early next morning, about 5 A.M., in this same ward from which all the rioters came, Stephen Harman breaks everything he can lay hands on—the window frame and all its panes of glass, his cell table, stool, shelf, trencher, salt-box, spoon, drinking-cup, and all his cell furniture. He had first barricaded his door, and could not be secured till all the mischief was done. Later in the day from another cell comes a long low whistle, followed by the crash of broken glass. The culprit here, when seized, confessed he had been persuaded by others; all were to join after dinner, the whistle being the signal to commence. The governor is now really apprehensive, anticipating something of a serious nature. He has a strong force of spare warders and patrols posted in the tower of the pentagon; but though the whistle* is frequently heard during the night, nothing occurs further till next day, at half-past eight, when George Vigers and another follow Harman's lead and destroy everything in their cells. They join their companions in the dark cells, all of whom, being outrageously violent, are now in handcuffs. In the dark they continued their misconduct; using the most shocking and revolting language to all officials who approach them; assaulting them, deluging them with dirty water, resolutely refusing to give up their beds, and breaking locks, door panels, and windows, though they were restrained in irons, as we know. These handcuffs having failed to produce any salutary effect, they were now removed; though several of the prisoners did not wait for that, and had ridded them-

* Known as the "thieves' whistle."

selves of their bracelets. For the next few days "the Dark," as these underground cells were styled in official language, continued to be the scene of the most unseemly uproar. When Archdeacon Potts, one of the committee, visited it he was received with hoots and yells; and this noise was kept up incessantly day and night. But at length, after nearly a fortnight of close confinement, the strength of the rioters broke down, and several of them were removed to hospital, while the others went back to their cells. But there was no lack of reinforcements: fresh offenders took up the game, and the dark cells were continually full. As soon as those first punished were sufficiently recovered, they broke out again. The cases of misconduct being generally of the same description, varied now and then by a plot to break the water-mill by whirling round the cranks too fast, continuous noise, insolence, dancing defiantly the double shuffle, attempts to incite a whole ward, when in the corridor at school, to rise against their warders, overpower them, and take possession of their keys.

Throughout the long nights of the dreary winter months these disturbances continued. A time of the utmost anxiety and annoyance to worthy Captain Chapman, who was invariably the foremost in the fray. Nothing can exceed the pluck and energy with which he tackled the most truculent. When a prisoner, mad with rage, dares any man to enter his cell, it is Governor Chapman who always enters without a moment's hesitation; when another, armed with a sleeve-board,* threatens to dash out everybody's brains, it is Captain Chapman who secures the weapon

* Used in tailoring.

of offence; when a body of prisoners on the mill break out into open mutiny, and the warder in charge is in terror for his personal safety, it is Governor Chapman who repairs at once to the spot and collars the ringleaders. Perhaps it would have been better if so much resolute courage had not been tempered with too much kindness of heart. No one can read of Captain Chapman's proceedings without admitting that he was brave; but for his particular duties he was undoubtedly also amiable to a fault. Had he been more unrelenting it is probable that the worst offenders would never have gone such lengths in their insubordination. A word or two of contrition, often the merest sham, was sufficient generally to secure his pardon. Thus when a man has worked himself into a fury and appears ready for any act of desperation, the mere appearance of the governor calms him, and the prisoner softened, says, "You, sir, use me much better than I deserve. Put me in the dark." "I left him," says Captain Chapman, "saying I trusted my lenity would have a much better effect than a dark cell. I therefore admonished and pardoned him." Had such kindness been productive of good results no one could have questioned its wisdom. But it almost invariably was worse than futile, and the recipients of it soon were worse than ever.

It was in this winter that the superintending committee became convinced that the methods of coercion they possessed were hardly so stringent as the case required. They report to the House of Commons* that "there are among the prisoners some profligate and turbulent characters for whose outrageous conduct the punishments

* Report of the Penitentiary Committee, 1827.

in use under the rules and regulations of the Penitentiary are by no means sufficient." They have found by experience that "confinement in a dark cell, though in most cases a severe and efficacious punishment, operates very differently on different persons. It appears to lose much of its effect from repetition; it cannot always be carried far without the danger of injuring health; and on some men as well as boys it has no effect." Many of the ringleaders in the disturbances we have just described were subjected to twenty-five, twenty-eight, even thirty days of uninterrupted imprisonment in the dark, and certainly with little effect. In view of this want of some more salutary punishment the committee expressed a wish for power to flog. They were convinced that "the framers of the statute under which the Penitentiary is now governed acted erroneously in omitting the power to inflict corporal punishment when they re-enacted most of the other provisions of the 19th Geo. III.* And they are satisfied that a revival of this power (a power possessed in every other criminal prison in this country) would be highly advantageous to the management of this prison, provided such power were accompanied by regulations adequate to control the exercise of it, and to guard against its being abused."

Soon after these lines were in print, and presented to the House, it became more than ever apparent that to tame these turbulent characters some serious steps must be taken soon. During the early months of 1827 there had been no cessation of misconduct of the kind already described, but the cases were mostly isolated, and generally

* The Act passed to introduce the Penitentiary system.

succumbed to treatment. But as March began a storm gathered which soon burst like a whirlwind on the place. It was heralded by a riot in chapel on Sunday, the 3rd March. Previous to the sermon, during evening service, a rumbling noise was heard, as if the prisoners assembled were stamping in unison with their feet. The sound ceased with the singing of the psalm, and recommenced during the sermon, and increased in violence. It was discovered that the noise was made by the prisoners knocking with their fists against the sheet iron that separated the several divisions. As the uproar continued to increase to a shameful and alarming extent, the governor left the chapel to fetch the patrols, and other spare officers, all of whom, with drawn cutlasses, were posted near the chapel door. The prisoners were then removed to their cells, and, in the presence of this exhibition of force, they went quietly enough. The ringleaders were afterwards singled out and punished: the chief among them being a monitor, long remarkable for his piety, who on this occasion had distinguished himself by mimicing the chaplain, and commenting in scandalous terms upon the sermons, and using slang expressions instead of responses.

After this, in all parts of the prison there were strong symptoms of mutiny. Loud shouts, laughter, and the thieves' whistle on every side. For the next few days there is much uneasiness; and at length, about midnight on the 8th, the governor is roused from his bed. Pentagon 6 is in an uproar. As Captain Chapman hurries to the scene he is saluted with the crash of glass, interspersed with loud cries of triumph and of encouragement. The airing-yard below is strewed with fragments; broken window-frames,

fragments of glass, utensils, and tables smashed to bits. Two notorious offenders in B Ward, Hawkins and John Caswell, are busy at the work of destruction, and already everything is in ruins. The tumult is so tremendous, so many others contribute their shouts, and the thieves' whistle runs so quickly from cell to cell, that sleep is impossible to any one within the boundary wall; and presently all officials, chaplain, doctor, manufacturers, and steward, have joined the governor, and are helping to quell the disturbance. It is quelled, but hardly has the governor got back to bed, at two in the morning, when the uproar recommences: the same noise and loud shouts from one side of the pentagons of prisoners, inciting each other to continue the riot. Next day, from various other wards came reports that a spirit of insubordination is on the increase; and the offenders in the dark, ten in number, are violent in the extreme. Again, at midnight, the governor is aroused by a tremendous yelling from Pentagon 6, followed by the smashing of glass. The offenders were seized at once, and, remarks the governor, "from what I could learn, were pretty roughly handled by their captors." During this night, too, "in noise and violence the several prisoners in the dark exceeded, if possible, their accustomed mutinous conduct." One, by some extraordinary effort, broke the part of his door to which the lock was attached, and got it into his cell, swearing he would brain the first person who approached him. There was much answering to and from the dark cells, and the upper storeys of the pentagons opposite. There was evidently discontent also in other parts of the prison. Those prisoners who had no hopes of gaining any remission of their sentences, having no induce-

ment to behave well, were on the point of insurrection. In addition to these alarms, on the night of the 14th it was reported to the governor that the prisoners were making their escape from the dark cells. "The noise was so tremendous, it could be heard all over the prison."

And now mysterious documents emanating from the prisoners are picked up, containing complaints mostly of the treatment they receive, and full of terrible threats. As time passed, the worst of these threats found vent in the hanging of the infirmary warder's cat. The halter was a strip of round towel from behind the door, and a piece of paper was affixed to it, with these portentous words:—

"you see yor Cat is hung And
you Have Been the corse of it
for yoor Bad Bavior to Those
arond you. Dom yor eis, yoo'l
get pade in yor torn yet."

Next were several closely written sheets, full of inflammatory matter, which give the authorities so much uneasiness that several hundred prisoners are closely examined as to their contents. As these letters afford curious evidence of the importance prisoners arrogated to themselves, it may be interesting to publish one *in extenso*. It was found on the road back from chapel. There was no signature to it.

"Sir,—Four instances of brutality have occurred in this Establishment within the last week; the which we, as men (if we do our duty towards God and man), cannot let escape our notice, and hope and trust you will not let them pass without taking them into your serious consideration. We well take the liberty of putting a few questions to you,

which we hope you will not be offended at. Who gave Mr. Bulmer authority to strike a lad named Quick almost sufficient to have broken his arm, indeed so bad that the lad could not lift his hand to his head? and who gave Mr. Pilling the same authority to smite a lad to the ground, named Caswell, with a ruler, the same as a butcher would a Bullock, without him (Caswell) making the least resistance? On Saturday night last there was brutal and outrageous doings, Mr. Pilling as desperate as ever, assisted by that villian Turner (we cannot give him a better term—we wish we could). Who would have thought a man could have been so cruel as to lift a poker against a fellow-creature? A ruler, we have heard, was broken into two pieces, a thing that is made of the hardest of wood. Was there ever, in the annals of treachery and oppression, facts more scandalous than these! No. To hear their cries was sufficient to make the blood run cold of any man, if he was possessed of the least animal feeling ('For God's sake have compassion, and do not quite kill me,' etc., etc.) And we do not hesitate to say, had not the wise Creator, that sees and hears all, put it into the heart of a man to be there and stop them in their bloody actions, homicide would have been committed: then God knows what would have been the result. We will admit that these men committed themselves in the most provoking manner; but still, who are, what are these men, that they should take the law in their own hands? You are the person they should have applied to, and we are satisfied you would not have have given them such authority. Many men have committed as bad, or worse crimes than either of these, and in less than one minute afterwards have been sorry

for it. How did these men know but this was the case here? but without speaking to them, as Christians would do, knocks them down, as we have stated before, as a Butcher would do an Ox—we cannot make a better comparison—Messrs. Pilling and Turner in particular. The governor, too, who professes to fear God, we think if he would study the great and principal commandment, that is, to do to others as he would be done unto, it would be much more to his credit; especially, sir, as you and other gentlemen of this establishment expect when there is a discharge of prisoners (and it is to be hoped that soon will be the case) that they will give the establishment a good name. They cannot do it, unless there is a stop put to such brutal actions; they will most likely speak the sentiments of their hearts; they will say they have seen some of their fellow-creatures driven like wrecks before the rough tide of power till there was no hold left to save them from destruction. That will be a pretty thing for the public to hear. And, sir, we do not wish to be too severe, but unless Pilling and Turner are dismissed from the Establishment, and that shortly, we will fight as long as there is a drop of blood in us; for it is evident, many men have expired from a much lighter blow than either of those received; therefore necessity obliges us—we must do it for our own safety; but depend upon it, sir, it is far from our wish to do anything of the kind, for your sake, and for the sake of what few good ones we have (and God knows it is but few). There is 3 good men in the Pentagon—Messrs. Newstead, Rutter, and Hall, and we wish we could speak well of the others—but we cannot.

"N.B. We do not wish to give the last new warder a bad

name, for we have not seen sufficient of him to speak either way, but what little we have seen leads us to believe he is a good man. We hope, sir, you will excuse us, but we will ask you another question. If you were in Mr. Pilling's situation, and a man committed himself, would you not reason with him on the base impropriety of what he had done? We know you would. Instead of that, Mr. Pilling takes a delight in aggravating the cause with a grin, or a jeer of contempt, not only before you see him (the prisoner), afterwards the same; which, without the least doubt, makes a man commit acts of violence which at other times he would tremble at the idea. We hope, sir, you will take this into your worthy and serious consideration, and by so doing you will greatly oblige,

"Your Obedient Humble Servants,

"FRIENDS TO THE OPPRESSED."

But this was only of apiece with the prisoners' attitude generally. On another occasion a body of them go to the governor's office to remonstrate with him on one of his punishments. We might as well imagine—to compare great things with small—a deputation from the criminal classes waiting on a judge to complain of his sentence on a thief. As soon as the protesters are ushered in, one says that Davis, the culprit, is very sorry for what he has done; another says that he was unwell at the time, and the whole unite in hoping the governor will let him off. Fortunately the governor is not so weak as they fancied. "On my remarking to them—which I did with much indignation—their highly improper conduct in presuming to remonstrate with me in the execution of my duty, Boak (one of the three) remarked, that by their rules they

were to apply to the governor or visitor if they had any complaint. To which I answered, 'Most certainly,' but that my confining Timothy Davis could not possibly be any grievance to them; and repeated that their presuming to dictate to me was of such a reprehensible and insubordinate nature that I should confine them in the dark cells." But as they were penitent, and promised for the future to mind their own business, they were released the same day.

Meanwhile, the rioting and destruction proceeded without intermission. A frequent device now was for prisoners to barricade their cell doors, so as to work the more uninterruptedly. For this purpose the cell blocks or some of the fragments from the demolished furniture served; and, as a brilliant idea, one or two prisoners invented the practice of filling their keyholes with sand and brick rubbish, or hampering the locks with their knives. But in March the riots exceeded anything in previous experience. It was prefaced by the usual exhibitions of defiance and insubordinate conduct, and the uproar as before broke out in the middle of the night. A dozen or more of the prisoners dressed themselves, barricaded their doors, and then set to work. By-and-by the whole ward was in a tumult. The dark cells were already full, and there was no other place of punishment. The shouting and yelling could not therefore be checked, and continuing far into the day excited other prisoners at exercise, so that they were on the point of laying violent hands upon their warders. One scoundrel took off his cap and tried to cheer on his fellows to acts of violence; and some followed the warder into a corner, swearing they would have his life. The condition of the whole prison was now so alarming that the governor, with

permission of the visitor, sought extraneous help. Application was made to the Queen's Square police office for a force of constables to assist in maintaining order, and insuring the safe custody of the prisoners. As soon as these reinforcements arrived they were marched to the airing-yard of Pentagon 5—the scene of the recent riots.

Here a large body of prisoners were at exercise. The governor and the visitor in turn addressed them, pointing out "the shame and disrepute they were bringing on themselves and the institution by their mutinous conduct." Several in reply were most insolent in speech and manner, declaring they did not deserve to be treated with suspicion. One attacked a warder close at hand with loud abuse, another the taskmaster, swearing he was starved to death, and both had to be removed. These constables remained on duty during the night, and for several weeks to come continued to give their assistance. On the return of the prisoners to their wards, the governor spent four hours, from 7 to 11 P.M., in going patiently from cell to cell, impressing on each man in turn the necessity for orderly and subordinate conduct. "My time and efforts," he says next day, "were, I regret to say, quite thrown away, for the noise and shouting continued during the night, though not quite to the same extent." Nothing very serious, however, happened till 3 P.M. next day, when Hickman, a prisoner in the infirmary, began to break his windows, and with loud huzzahs endeavoured to incite the others (from Pentagon 6) in the yards to "acts of violence and insubordination." He was answered by many voices, and the tumult soon became general. Meanwhile, the governor and the visitor had repaired to Hickman's cell as soon as

the smashing of glass was heard, but the man had cunningly made fast his door, and could not be interfered with. It appeared that he had complained of want of exercise, and had accompanied this complaint with so much contrition for previous violent conduct, that the surgeon had allowed his cell door to be unlocked, so that he might walk when he liked in the passage. Directly the officers had gone to dinner he got out, and, using his knife which had imprudently been left in his possession, hampered the locks at both ends of the passage. His next act was to slice into ribbons the whole of his bedding and that of several cells adjoining his own, which were unoccupied and (a grave error) not locked. This business satisfactorily arranged he began to shout and smash all the windows within his reach. Before he could be secured he had demolished eighty-two panes of glass and several sashes complete. He was found brandishing his broom, and offering to fight the lot of his captors, one of whom promptly knocked him down, when he was quickly handcuffed and carried back to his cell. But the noise he made that night, with others, was so great that the governor declares, "I never closed my eyes during the night." Night after night the misconduct of the prisoners continued, and grew worse and worse. Wards hitherto well behaved became infected. In C Ward, Pentagon 6, "they commenced at 4 A.M. shouting and bellowing like the rest." The visitor on going to the dark is again most grossly insulted and abused. Another evening the noise and shouting that breaks out is so loud that many officers going off duty heard the disturbance at the other end of Vauxhall Bridge, and returned to the prison.

All through the months of April and May the violence of the malcontents continued unabated. They had found out their strength, no doubt, and laughed at all attempts to coerce them. Neither dark cell nor irons exercised the least effect, and the only remaining punishment—the lash, the committee were not as yet empowered to enforce. It must be confessed that one reads with regret that a parcel of unruly scoundrels should thus be allowed to make a mockery of the punishment to which they were sentenced by the law, and that they should be suffered unchecked to set all order and discipline at defiance. And all this deliberate insolence and open insubordination could have but one end. They culminated at length in a murderous affray, in which a couple of prisoners fell upon the machine-keeper and half killed him. The plot had been well laid, and had been brewing for some time. About 7 A.M. one morning, while working quietly at the crank, prisoner Salmon rushed at Mr. Mullard, the machine-keeper, and knocked him off the platform by a tremendous blow, which caught him just behind the ear, and cut his head open. Crouch, another prisoner, struck Mr. Mullard at the same moment. When on the ground he was kicked by Salmon in the mouth. No one but the wardsman, another prisoner, came to poor Mullard's assistance; but this man "acted with great spirit, and it was mainly owing to his prompt interference that the machine-keeper escaped with his life."*

At the moment the attack was made all the other officers were at a distance. One warder said he saw Mr. Mullard fall, but thought it was accidental, and that the prisoner Salmon had stooped over to pick him up. However, when the

* Governor's Journal, vol. vii.

other prisoners crowded round, shouting, "Give it him! Give it him! Lay on," this warder, perceiving their evil intentions, took to his heels—to get assistance, for he afterwards "indignantly disclaimed all idea of quitting the yard through personal apprehension." At the tower he found the taskmaster coming out cutlass in hand; Rogan, the warder, got one also, and both hurried back to the yard. Smith, the wardsman, was fighting with Crouch, and Mr. Mullard, who had got again to his feet, with Salmon; the other prisoners looking on, being, as they afterwards asserted, afraid to stir, "particularly after seeing the warder, Rogan, run away."* Crouch now came at the taskmaster "with fury in his looks;" upon which the latter drew his cutlass and warned him to stand off, and then both Crouch and Salmon were secured. There was no doubt the greater part of the prisoners were concerned in this mutiny, for although Mullard called aloud for assistance, not a soul but Smith the wardsman stirred a finger to help him. These miscreants were subsequently tried at the Old Bailey, and sentenced to increased imprisonment.

But soon after this the new Act, authorizing the committee to flog for aggravated misconduct, was passed, and then a clearance was made of the worst subjects by sending them from the Penitentiary to the hulks. This was really yielding to the prisoners. But it gained a certain lull of peace within the walls—no slight boon after the disturbances, and it was hoped that the new powers of punishment would check any further outbreak amongst those who remained.

* Governor's Journal, vol. vii.

THE WAY TO THE "DARK."

CHAPTER VII.

GENERAL MISCONDUCT.

HARDLY had the exodus of the worst behaved been completed before irregularities of an entirely new character appeared. An intrigue was discovered to have been in progress for many months, between the women in the laundry and certain of the male prisoners. This had never gone further than the interchange of correspondence, and its existence is in some respects a proof of the laxity of the discipline maintained in the Penitentiary. It was customary to make up the clothes of the male prisoners sent to the wash in kits, or small parcels, which

were opened in the laundry by a female prisoner, called the "kitter." One day the kitter, by name Margaret Woods, found among the clothes a slip of paper—a Prayer-Book leaf—on which some man had written that he came from Glasgow, and that he hoped the women were all well. Woods not being able to read, showed it to another woman, who showed it to a third, a Scotch girl, Ann Kinnear, who came also from Glasgow. "Yes," she said, "I know him well. It's John Davidson—a very nice young man; and if you won't answer it, I'll write myself." The acquaintance, on paper, soon deepened between Kinnear and Davidson. One of her tributes of affection was a heart, which she worked with grey worsted on a flannel bandage belonging to Davidson. At another time she sent him a lock of her hair.

It is easy to understand the flutter throughout the laundry caused by this flirtation, which was known and talked of by all the women. They were all eager to have correspondents too: having husbands "outside" being no obstacle seemingly; nor was age, for an old woman, with grown-up children, entered herself as eagerly as the girls barely in their teens. John Davidson was in all cases the channel of communication. He promises to do his best for each of his correspondents: to find out a nice sweetheart for Mary Ann Thacker, and to tell Elizabeth Trenery how fares her friend Combs, with whom she had travelled up from Cornwall. He expresses his regret to his own friend Kinnear, that he is likely soon to be set at large; but that before going he will "turn her over" to another nice young man, in every way similar to himself. How long this clandestine intercommunication might have

continued, it would be difficult to say; but at length the wardswoman came to know of it, and she instantly reported it to the matron. One fine morning the whole of the kits were detained, and a general search made in the tower. Several letters were discovered. They were written mostly with blue ink made of the blue-stone used for washing, and contained any quantity of rubbish: questions, answers, gossips, vows of unalterable affection, promises to meet "outside" and continue their acquaintance. About the same time a letter from one of the men was picked up on the chapel stairs. As a specimen of this prison correspondence I give it here *in extenso*.

"LAST AT CHAPEL.

"*June 17th.*

"From the young man that wrote first, to the young woman that wrote last.

"MY DEAR,—It is with a pleasure produced from a mind enduring the bitters of anxious suspense, that I set myself down for the purpose of relating to you the candid feelings I possess at the present hour; and I hope, my dear, that it will find you enjoying the sweets of good health, as thank God I am at present: and I must not omit to ask you to be as candid with me as possible, without the slightest display of deception; for by this time you must be very well acquainted how I stand in present circumstances, and that it is not from the pleasure received from our correspondence, that I venture to commit myself to yours and your friend's generosity; but it is from the real expectation of being joined to one of you by the appointed precept of the Creator, to stick strong and constantly to you, and to live an honest and industrious life, endeavouring to attain

felicity in the world to come. So, my dear, if you think me not unworthy of your attention; if that your heart be disposed to acknowledge a sympathy with mine, conditionally, that is to say by the blessing of God restored to liberty, and becoming a spectator of my person, I myself am not so very particular about having a handsome wife, for many pretty girls are so sensible of their beauty that it makes their manners rather odious; but, so as you are a tidy looking girl, and industriously inclined, with a good disposition, and will love me, and me only, you may depend upon it I should gladly accept you, and be studious to comfort you all the rest of our lives. But if there is any young man, at liberty or anywhere else, who is your intended suitor, I beg of you to give me a true answer in reply to this. And I hope, my dear, that neither you, nor your two companions, show our notes to any one; for I know well some women can never keep a secret. They acquaint those whom they call their friends of their affairs; who, when friendship ceases, do not fail to let all out. This is the only thing I fear, and that causes me to be more distant in my expressions than I should otherwise be, for I would not have this known for the best 10 pound that ever was coined."

All this of itself would be sufficient proof of the laxity that prevailed in the discipline of the Penitentiary. Harmless enough, the reader may say: and such it would have been undoubtedly in a boys' school next door to some seminary for young ladies, in the suburbs; but hardly in accordance with the condition of prisoners, or the seclusion that was a part of their punishment. And no sooner

was this intrigue detected, and put an end to, than another of similar character was discovered between the male convicts in the kitchen and certain maid-servants kept by the superior officers. The steward on searching the kitchen drawer of his housemaid—it does not appear what led him to ransack the hiding-places of his servants' hall—found a letter addressed to the girl by the prisoner named Brown. Brown, when taxed with it, admitted the letter, but declared that the first overtures had come from the maid. He had been cleaning the steward's door-bell, when this forward young person nodded to him from the passage, and he nodded back. At the same time another prisoner was caught at the same game with the female servant of the resident surgeon. On searching the prisoner-cooks a letter from the girl was found in this man's pocket, and a lock of long hair, neatly plaited. The first-mentioned girl had not confined her smiles to Brown, for in her possession was another letter from John Ratcliffe, a prisoner who had been working in the starching yard close by the steward's quarters. Betsy S., the surgeon's second maid, had become also the object of the affections of a prisoner named Roberts, who had thrown a letter to her through the open window. But Betsy would not encourage his advances, and took the letter at once to her master. Then the chaplain's maid is always at her kitchen window, making signs.

Nor were these irregularities confined to the male side of the prison. The maid-servant of the matron was discovered to have long carried on clandestine communications with one of the female prisoners. The gate-keeper at the inner lodge caught them in the act. Having heard

some one cough and hem very loudly in the laundry, he was surprised to find the signal answered by the matron's maid. Then he set a watch on the latter, and tracked her to the iron grating of the coal hole of the female wash-house. As soon as she appeared, a hand thrust out a letter through the bars, which the girl snapt up quickly and concealed in her dust box. The letter was of course captured, and proved to be from a prisoner to her father, praying him to intercede with the chaplain of Newgate to obtain a pardon for her.

The chief lesson to be learnt from these nefarious practices is, that it is a grave error to permit officers and their families to reside within the walls of a prison. In the old constructions the "gaoler's" house was always placed in the very centre of the buildings, from whence he was supposed to keep a watchful eye on all around. But the gain was only imaginary; and even if there had been any advantage it would have been more than nullified by the introduction of the "family," or "unprofessional" element within the walls. A prison should be like a fortress in a state of siege: officers on duty, guards posted, sentries always on the alert, every one everywhere ready to meet any difficulty or danger that may arise. No one should pass the gates but officials actually on duty inside. In this way the modern practice of placing all residences and private quarters in close proximity to, but outside, the prison is a distinct improvement on the old. By it the moral presence of the supreme authority with his staff is still maintained, and no such irregularities as those I have just described could possibly occur.

So far I have made but little reference to the female

convicts. Indeed, during the first years after the reopening of the Penitentiary, except in isolated cases, they appear to have conducted themselves quietly enough. But the contagion from the male pentagons could not but spread, sooner or later. The news of the removal of the worst men to the hulks no doubt acted as a direct incitement to misconduct. Had not this power of removal been accompanied, in the case of the males, with authority to inflict corporal punishment, we should have seen a great and continuous increase of the riotous disturbances described in the last chapter. A certain number had gained their ends; but if those who remained were ambitious to tread the same path, it was possible that sound flogging would be tried before removal to the hulks. With the women it was different—they could not be flogged, so they had it much their own way. It was the same then as now: the means of coercion to be employed against females are limited in the extreme, and a really bad woman can never be tamed, though she may in time wear herself out by her violence. We shall see more than one instance of the seemingly indomitable obstinacy and perversity of the female character, when all barriers are down and only vileness and depravity remains.

Long before the women broke out into open defiance of authority there were more than rumours that all was not right in the female pentagon. "Irregularities are on the increase there," observes the governor in his Journal. The object of the agitation is no secret. The women want to get away from the Penitentiary like the men did. One having abused a matron in the most insolent terms, swears, if not sent at once to the hulks, or abroad, she will have

some one's life. Another, Nihill, sends for the governor, saying she had something particular to confide to him. "Well?" asked Captain Chapman. "You must send me to the hulks or to New South Wales." Another woman made the same request, pleading that they had not a friend on earth, and that when they were released they must return to their old vicious courses. "I told them," says the governor, "they could only be sent to the hulks when they were incorrigible, and to qualify for that they must pass months in the dark. Then I exhorted them to return to their work and better thoughts." But they both at once flatly refused either to work or to think better of it, demanding to be sent immediately to the dark, a wish which was gratified without further delay.

It now appears evident that the discipline of the female side is far from satisfactory. There has been great remissness on the part of the officers. It is discovered, too, among other things, that the religious exercises have been greatly neglected: the reading of the lesson in the morning service in the wards has been "either shamefully slurred over, or neglected altogether." For this, and other omissions, the visitor assembles the matrons in a body, and lectures them in plain terms.

That very afternoon occurs the first real outbreak. All at once the whole of one of the wards is found to be in an uproar. The shouts and yells of the women could be heard all over the prison, and for a great distance beyond. The disturbance arose in this wise: there had been great misconduct that morning in chapel, but the offenders had eluded, as they thought, detection; when, however, the matron came and reprimanded, they concluded that one

of their number had "rounded" or "put them away," in other words, had turned informer. Elizabeth Wheatley was suspected, and upon her the whole of her companions fell, tooth and nail, when let out for exercise. It was with the utmost difficulty she was rescued from their clutches. Then the ringleaders, having been again confined to their cells, commenced a hideous din and continued it for hours.

Soon after this a violent attack is made upon the chief matron: a woman assaults her, and deals her a blow that makes her nose bleed. This is the signal for a general disturbance. All the ward join in the uproar: those not under lock and key crowd round the matron with frightful yells and imprecations, and from those in their cells, come shouts through the bars, such as "Give it her! give it her. I'd make a matron of her, if I was out. I'd have her life." The unfortunate officer is only saved from serious injury by the prompt interposition of the wardswoman, a well-conducted prisoner.

The excitement now becomes tremendous. Let us take a scene enacted in another part of the prison that very evening.

It is towards dusk in the "Long Room," where there were beds for nearly forty.

Half a dozen women here, unattended by a turnkey, are discussing the topics of the day. One, Nihill, is lamenting in bitter terms the want of pluck exhibited by the others. None of the women were "game," she said. She was ready to do anything, but none of the others would give her a helping hand. There were men in the prison, too, who were willing and able to join in a mutiny if they only got a lead. It might be done in chapel, where the whole of

the population of the Penitentiary collected together twice a day for prayers.

At this moment comes a new arrival, bearing the news of the murderous assault upon the matron, to which reference has been already made.

"How many were in it?" Nihill asked, she being the leading malcontent of those mentioned above.

"Five."

"That's three too many. I wish I'd been there. Wait till I get my green jacket,* I'll carry a knife, and I'll stick it into her" (the matron).

"She's a brute," adds another. "I'd serve her so to."

"If two or three well-behaved women were to hit her again and again, the gentlemen of the committee would say she wasn't respected, and wasn't the prisoners' friend. Then they'd send her away, and we'd be quit of her."

"What's happened now?" asks a woman, Roach, who had hitherto sat silent.

"The matron's been struck. Aren't you glad?"

"No! I'm not glad."

"You're a mean-spirited devil, then—that's what you are."

"And you're a——"

"Well? what am I? Yes. Tell me." Nihill was five or six yards off, taking the pins out of her dress; but on this provocation, she came forward and prepared to fight.

"You'd better strike me; just do it," said Roach.

"No, you strike me first."

"Shut up, Roach," interposed another woman, Price by

* The dress of women in the second or superior class consisted of dark green jacket and stuff petticoat; the first or lower class wore a yellow jacket.

name. "You ought to have more sense than to quarrel with that child."

"Child yourself!" replied Nihill, in great indignation. "I'm well able to take care of myself, which is more than you are."

"You're a regular bull dog, but you shan't bully me," said Roach.

"I tell you you ought to have more sense," Price repeated.

"Leave me alone, Price; you are a low blackguard."

"I'll blackguard you," cried Price, suddenly seizing the poker and rushing at Roach.

"Yes," said Nihill, forming at once an offensive alliance with Price; "you say another word against Price and I'll split your skull open."

"Murder! murder!" yelled Roach, running for her life to the other end of the room, where she fell upon her bed in hysterics.

The other prisoners gave the alarm; assistance arrived; Nihill and Price were secured and carried off to the dark cells, the former expressing the utmost contempt for Roach. "Yes," she said to the matrons, "you think a lot of Roach, I suppose, because she can throw herself into hysterics. But she's not the only one. I can, and fits too. My blood's as hot as hers."

The next affair occurred at school time. A prisoner, Smith, was checked by the matron for quarrelling with the monitress, whereupon Smith, seizing her stool, swore she would make away with the matron. Two other prisoners came to the rescue, and, pushing the matron into a cell close by, got in with her, and pulled the door to.

Smith in a fury raced after them, but the cell gate was locked before she arrived, and she had to be satisfied with the grossest abuse from the further side. But Sara Smith was now mistress of the ward, and ranged up and down with uplifted stool, and fury in her looks, till the governor, bold Captain Chapman, came to the spot with his patrols, and she was, but with some difficulty, secured.

So determined were the women to misconduct themselves, that they took in bad part the advice of the few who were well-disposed. When one Mary Anne Titchborne begged her companions to behave better, they turned at her *en masse*, pursuing her to her cell with horrid threats, brandishing their pattens over their heads, and swearing they would have her life. But the next feminine feat at first sight appeared more extraordinary than any. One of the female prisoners, it was declared, had in the night jumped out of her window, on the second floor, into the airing-yard below, a height of seventeen feet; and the governor who visited her about 7 A.M., four hours after the accident, found her sitting in her cell again, quietly at work, and "with the exception of a sprain, or a contusion of the fingers of the right hand, quite unhurt." According to this woman's story, she had got tired of life about 10 P.M., and at once threw herself out of her window. "It seems incredible," remarks Captain Chapman, "that she could have effected this, as the sash of the window opens from the bottom with the hinge, forming thus an acute angle—in fact a V—having an aperture atop ten inches wide. Not a single pane of glass was broken, and Miller, for all her fall, was unhurt, beyond a scratch or two upon her fingers." Miller (the prisoner) further stated that on

reaching *terra firma* she was at first quite stunned. By-and-by she got up and walked about the yard for several hours; then, finding it cold, she returned to her ward, which she accomplished easily, as all the external doors and passage gates had been left unlocked. This carelessness with reference to "security" locks, as they are called, or the gates that interpose between the prisoners and fresh air, might easily make the hair of a modern gaoler stand on end; and even the considerate Governor Chapman was forced to reprimand the matrons for this gross neglect of duty. But by-and-by Miller confesses her fraud. After school at night, she had managed to secrete herself in an unoccupied cell. No one misses her; and about eleven, coming out, she commences to wander up and down the ward, going from cell to cell knocking. "Who's there?" "Miller." "Where have you come from?" "I have jumped out of the window, and got back through the gates, which were left open." "Go back to your cell, for goodness' sake." "I can't get in, the door is locked." "Call up the matron then." "I daren't." Such was the conversation overheard by others. But about 3 A.M., Miller could stand it no longer, and woke the matron of the ward.

One other case of misconduct among the females must be mentioned here, and then we will for the present leave them. Some months afterwards a conspiracy was discovered which at first sight seemed of rather serious dimensions. Its apparent object was to murder the chaplain, the matron, and a female officer named Bateman, all of whom had incurred the rancour of certain of the worst prisoners. One day in chapel an officer noticed much nudging and winking between two or three of the

women, one of whom afterwards came up to her, as she stood by the altar rails, and said, "There's a conspiracy going on."

"Where?" asked the matron.

"In a bag."

"A bag? Who's got it?"

"Jones."

And in effect, upon Jones is found a bag of white linen, six inches by four, and inside it a strip of bright yellow serge, such as the "first-class" women wore. On this yellow ground was worked in black letters, as a sampler might be, the following:—

"Stab balling (bawling) Bateman, dam matron too, and parson; no justis now, may they brile in hell and their favrits too. God bless the governor; but this makes us devils. Shan't care what we do—20 of us sworn to drink and theve in spite—get a place—rob and bolt. Make others pay for this. Shan't fear any prison or hel after this. Can't suffer more. Some of us meen to gulp the sakrimint, good blind: they swear they'll burk the matron when they get out, and throw her in the river. No justis. Destroy this. No fear. All swer to die; but don't split, be firm, stic to yor othe, and all of ye, stab them all. Watch yor time—stab am to the hart in chaple; get round them and they can't tell who we mean to stab."

This bag was akin somewhat to the mysterious *chuppaties*, which were the forerunner of the Indian Mutiny. It was passed from hand to hand, each prisoner opening, reading, and then sending it on. Jones, on whom it was found, declared she had picked it up in the passage. She was lame, and returning from exercise had put her

crutch on something soft. "Why, here is some one's swag," she cried, and thereupon became possessed of it. But she had intended to give it up to the matron; "Oh yes, directly she had read it." However, another prisoner forestalled her, and Jones gets into trouble. Then, with the instinct of self-preservation, which is stronger, perhaps, among prisoners than in other human beings, Jones "rounds" at once, in other words, gives full information of the plot. Hatred to the matron was at the bottom of it. "She is a devilish bad one," said a prisoner, one day in public. "There's no justice in her religion. Pity she hasn't some one here to serve her as Matron Palmer was served."

"What d'ye say, Jane?"

"Ah! there's none of them staunch ones in here now. There's only you, and Cooper, and me, that's worth a pinch."

"But what did they do to Matron Palmer?"

"Why, they beat her, and knocked her cap off at school. I'd like to frighten this one too, now."

"Well, send her a letter."

"A letter? when there's no paper, no ink, no nuffink?"

"You can work a sampler—work the letters on a strip of cloth. You're a quick marker. Why, they say you covered a handkerchief with writing in a week."

"I'll do it; but what shall I say?"

"Everything that's bad—but say, 'God bless the old governor.'"

"Suppose we should be found out?"

"Pouf—found out! It can't be found out among so many. We'll drop it in chapel."

And with this beginning, the great conspiracy grew to

the dimensions we have seen it. It was of a piece with many such plots in modern experience—mere empty threats and rank bombastic talk. Prisoners are very fond of bragging what they mean to do, both inside and when again free. In the present case there was supposed to be much more in store for the matron than the actual assault with which they threatened her. One of the conspirators swore that if she (the matron) escaped now, later on vengeance should overtake her. "As soon as I'm free I'll do for that cat of destruction. I'll send her first a dead dog with a rope round its neck, made up into a parcel. That'll frighten her. Curse her, I'll give her a bitter pill yet. If it's ten years hence, I'll never forget her. I'll watch her, and track her outside; and I have friends of the right sort that'll help me." But threatened men and women live long, and nothing much happened to the matron then or afterwards.

Let us now return to the male side. Here the worries and annoyances of the governor were still varied and continuous. Hardly had misconduct in one shape succumbed to treatment, than it broke out in another. Many attempts to escape—one of which, to be detailed hereafter, went very near complete success; a couple of very serious assaults, a fresh suicidal epidemic, still kept his energies fully on the stretch. It was his practice, as we know, to give his immediate attention to anything and everything, directly it occurred; and although he must by this time have been alive to the preponderance of imposture in the attempts prisoners made upon their own lives, still so kindhearted a man could not but be greatly exercised in spirit, whenever the suicides seemed *bonâ fide* and real.

Here is a case which called at once for his most anxious interference. One Thomas Edwards was reported to have it in contemplation to do himself a mischief. Another prisoner detected him in the act of concealing a piece of hammock lashing in his bosom, gave information, and the halter was seized at once by the officer in charge. It was found to be nearly two yards in length. In Edwards' pocket was also a letter, an old letter from his brother, across which in red chalk was written the following:—

"To Captain Chapman. The last request of an innocent, and injured man is, that this note may be delivered to a much loved brother.

"I can no longer bear my unfortunate situation. Death will be a relief to me, though I fain would have seen you once more; but I was fearful it might heighten your grief. The privations of cold and hunger, I can no more suffer. I now bid you an eternal farewell. God forgive me for the rash act I am about to commit—the hour is fast approaching when I must leave this troublesome world. Write to my dear sister, but never let her know the truth of my end, and comfort her as well as you can. God forgive me.

"Farewell for ever,

"Farewell."

"I immediately sent for Edwards," says Captain Chapman in his Journal. "He appeared much distressed. The tears rolled down his cheeks, but he would not speak. I said everything I could think of to soothe and console him, and had him taken by the surgeon to the infirmary." The case seemed to require full investigation, which it received; and the result is recorded a little further on by

the governor. "It appeared that up to two or three days before he had been remarkably cheerful. But one day some extra soup had disagreed with him, after which he hardly spoke, not even to his partner with whom he walked in the yard." Then, when he thought he was unobserved, he had secreted the hammock lashing which was to put an end to his wretched existence.

Bile or indigestion have doubtless driven many to desperation; but though the saying is common enough, that life under such afflictions is barely worth having, actual cases of suicide from stomachic derangements are comparatively rare. Perhaps the soup story opened the governor's eyes a little to the prisoner's real character, and then, later on, a second detection of fraud proved beyond doubt that Edwards was an impostor.

He is caught in a clandestine correspondence with his relatives outside, and for this he is transferred to "the dark." Fifteen minutes afterwards they find him suspended from the top of his cell gate by his pocketh and kerchief. They cut him down at once. He pretends to be unable to speak, yet it is clear that he has not done himself the slightest injury. Nevertheless, to keep him out of mischief, he is removed to the infirmary and put into a strait jacket. To escape from this restraint he embarks upon a new line of imposture. He sends an urgent message to the chaplain, having, as he asserts, a weighty sin upon his conscience, which he wishes at once to disclose.

"Some four years ago, sir, I murdered a young woman. She was the one I kept company with. I was jealous. I threw her into the New River. Sir, I have never had a happy moment since I committed the deed. My life is a

burthen to me; and I would gladly terminate it upon the scaffold."

"Are you quite sure you are telling me the truth?" the chaplain asks.

"The truth, sir—God's truth. If I am not, may I," etc.

He detailed the circumstances of the murder with so much circumstantiality that it was thought advisable to take all down in writing, so as to make full inquiry; but both governor and chaplain are "fully convinced that the prisoner had fabricated the whole story in the hopes of getting himself removed to Newgate." No sort of corroboration is obtained outside, of course, and by-and-by the matter drops. I have merely quoted this as a sequel and commentary upon the conduct of Edwards, proving that he was clearly an impostor from first to last.

But not long after this a fatal case occurred. The suicide was a man long suspected of being wrong in his head. Early one morning he was found hanging to the cross beam of his loom, from the frame-work of which he had jumped, and thereby dislocated his neck. It appeared on inquiry, that the mental derangement of which this man showed symptoms had been kept quite a secret from the governor and medical officer; so also had his frequent requests to see the chaplain; and the officer in charge of the ward was very properly suspended from duty "for culpable neglect, as probably, with timely interference, the prisoner's life might have been saved." But whether it might or might not, the news of his death spread rapidly through the prison, and from having occurred but rarely, real or feigned suicides became again quite the fashion. The gossip of incautious matron took

the intelligence first into the female pentagon. That very evening, after the women had been locked up, one yelled to another in the next cell that she meant to hang herself directly, and had a rope concealed, which she dared any one to discover. This woman was made safe at once; but next morning another was found tied up by her apron to the pegs of the clothes rack behind her cell door. She had failed to come out with the rest to wash, and as the officers approached to examine her cell they heard a noise of groaning within. A sort of feeble barricade had been made by the prisoner, with her mattress and pillows, to prevent entrance; but the door was easily opened, and behind it hung Hannah Groats by the neck, to one peg, while she carefully kept herself from harm by holding on by her hands to the two pegs adjoining. She was instantly taken down, when it was seen that she had not sustained the slightest damage. She had of course chosen her time just when she knew the cell doors were about to be opened, and she was safe to be quickly discovered.

Next the men take up the contagion. One announces that unless he be removed without delay from the cell he occupies he shall forthwith make away with himself, as he is tired of life. "He appeared so much dejected, and spoke with such apparent earnestness, that I ordered him to the infirmary," says the governor. Another man writes on his slate that the authorities treat him with such severity, he shall certainly commit suicide. He is seen at once by both chaplain and governor, but continues "dogged and intractable." Then a certain impudent young vagabond, notorious for his continual misconduct, is found one morning seated at his table, reading the burial service

aloud from his Prayer-Book, and sharpening his knife on a bit of hearth-stone. A woman with a piece of linen tied tightly round her neck, and nearly producing strangulation; men, one after another, found suspended, but always cut down promptly, and proved to be unhurt in spite of pretended insensibility: cases of this kind really occurred so frequently, that I should fill many pages were I to recount a tithe of them.

But I will pass to describe the first instance in which it was found necessary to inflict corporal punishment in Millbank. It was as a punishment for a brutal assault. One of the prisoners, David Sheppard, checked "mildly" by his officer for walking in his wrong place, replied, "I'll walk as I have always done, and not otherwise."

"You must walk with your partner."

Sheppard turned round most insolently and said, "What is that you say? I'll partner you." An answer that is pretty conclusive as to the sort of discipline maintained in the prison.

The officer made no further remark, but walked away to unlock a gate. Sheppard followed him quickly, and without the least notice, caught him a tremendous blow behind the ear, striking him again and again till other officers came to the victim's assistance. Many of the prisoners cried "Leave off!" but none offered to interfere. As soon as the prisoner had been secured, he was carried before the governor. The assault was brutal and unprovoked, and seemed to call for immediate example. Under the recent Act of 7 & 8 Geo. 4, it had become lawful to inflict corporal punishment in serious cases, and now for the first time this power was made available. The prisoner Sheppard

was sent to the Queen's Square police office, and arraigned before the sitting magistrate, who sentenced him forthwith to "one hundred and fifty lashes on the bare back." The whole of the prisoners of the D ward, to which Sheppard belonged, were therefore assembled in the yard, and the culprit tied up to iron railings in the circle. "Having addressed the prisoner," says the governor, "on this disgraceful circumstance, I had one hundred lashes applied by Warder Aulph, an old farrier of the cavalry, and therefore well accustomed to inflict corporal punishment, who volunteered his services. The surgeon attended, and he being of opinion that Sheppard had received enough, I remitted the remainder of his sentence, on an understanding to that effect with Mr. Gregory (the sitting magistrate). The lashes were not very severely inflicted, but were sufficient for example. Sheppard, when taken down, owned the justice of his sentence, and, addressing his fellow-prisoners, said he hoped it would be a warning to them. He was then taken to the infirmary." A strong force of extra warders was present to overawe the spectators; but all the prisoners behaved well, except one who yelled "Murder" several times, which was answered from the windows above, whence came also cries of "Shame." Another, who had been guilty some months before of a similar offence, witnessed the operation. It affected him to tears. "He was much frightened, and promised to behave better for the future."

It is impossible to read this account of the infliction of what seemed a highly necessary chastisement without noticing the peculiar sensitiveness of the prison authorities on the subject. In these days there are crowds of thin-

skinned philanthropists, ever ready to loudly rail against the use of the lash, even upon garroters and the cowards who beat their wives. But at the time at which I am writing now—in 1830 that is to say, when soldiers, for purely military offences, were flogged within an inch of their lives, and the "cat" alone kept the slave population of penal colonies in subjection—it is almost amusing to observe what a coil was raised about a single instance of corporal punishment. Were proof required of the exceeding mildness of the rule under which Millbank was governed, we should have it here. But, really, all milk-and-water. tenderness is misplaced in the management of criminals. They are ever disposed to view leniency as weakness, ignoring altogether the kindness of heart which prompts the benevolent to treat them well. Force, iron force, applied by a strong hand will alone keep them within bounds. All serious offences should be met at once with exemplary punishment. To inflict corporal punishment is surely less inhuman than to jeopardize the lives of officers through the omission of this salutary check. It is well known now to our modern experience, that the mere consciousness that they may be flogged, suffices to restrain many who would otherwise be reckless offenders. What ruffianism *in excelsis* can accomplish,—when there is a mass of evilly-disposed villains, that is to say, almost uncontrolled, with the strength of associated numbers setting a childishly weak executive at defiance,—we shall see in discussing events at Norfolk Island at a later date than this.

Between this and the next assault there was a long interval. But after a little more than twelve months had

elapsed, the ferocity of these candidates for reformation again made itself apparent. This time it was a concerted affair between two prisoners who fancied themselves aggrieved by the stern severity of their officer, Mr. Young. These men, Morris and King, had been reported for talking to each other from cell to cell. Next day both were let out to throw away the water in which they had washed. They met at the trough, and recommenced conversation which had been interrupted the day before.

"At your old tricks, eh?" cried Mr. Young. "I shall have to report you again."

"You lie, you rascal," shouted Morris, suddenly drawing a sleeveboard which he had concealed behind his back. Holding this by the small end with both hands, he aimed several tremendous blows at Mr. Young's head, which the latter managed to ward off partly, with his arms. But now King, armed with a pewter basin in one hand and a tailor's iron in the other, attacked him from behind. Soon Mr. Young's keys were knocked away from him, and he himself brought to the ground. However, he managed to regain his legs, and then made off, closely pursued by his assailants, who, flourishing their weapons and smashing everything fragile in their progress, drove him at length into a corner, got him down, beat him unmercifully, and left him for dead, King throwing the basin behind him as a parting shot.

Mr. Young's cries of "Murder!" had been continuous. They were re-echoed by the shouts of the many prisoners who, standing at their open cell doors, were spectators of the scene. One man, Nolan, climbing up to his window, gave the alarm to the tower below. Assistance soon

arrived—the taskmaster followed by two others, who met first, Morris and King, as they were returning to their cells. "What has happened," they asked. "I haven't an idea," Morris replied coolly. King, too, is equally in the dark. The officers pass on and come to other cells, in which the prisoners are seen grinning as if in high glee, and when questioned they only laugh the more. But at length Nolan is reached. "Oh, sir," says Nolan at once, through the bars of his gate, "they've murdered the officer, Mr. Young, sir. There lie his keys, and his body lies a little further on." At this moment, however, Mr. Young is seen dragging himself slowly towards them, evidently seriously injured and hardly able to walk. He just manages to explain what has happened, and as the governor has by this time also arrived, the offenders are secured and carried off to the refractory cells.

Here was another case in which a prompt exhibition of the "cat" would probably have been attended with the best results. But for some reason or other this course was not adopted; the prisoners Morris and King were remanded for trial at the next Clerkenwell Assizes, where, many months afterwards, they were sentenced to an additional year's imprisonment. Naturally, such a punishment so tardily administered must have altogether failed as an example. The retribution that should attend flagrant insubordinate misconduct should be not only certain but immediate. The cowardly brute who, for fancied wrongs, suffers his temper to lead him into a treacherous attack upon his officer should be flogged just as he is taken, red-handed and fresh from the commission of his offence. No other form of punishment—certainly not a prospective lengthening of

sentence indefinitely delayed—can be expected to exercise an equally deterrent effect. But, as far as I can discover, in these times the power to inflict corporal punishment in the Penitentiary was very sparingly employed. No other case beyond that which I have just described appears recorded in the Journals till some four years afterwards, viz., in 1834, when a prisoner having attacked his officer with a shoe frame, the sitting magistrate ordered him to be flogged with as little delay as possible. For this purpose the services of the public executioner were obtained from Newgate, and one hundred out of the three hundred ordered were laid in "not very severely." A large gathering of the worst behaved prisoners witnessed the punishment; but all were very quiet. "Not a word was spoken, though many were in tears." "I fervently hope," goes on Captain Chapman, "that this painful discharge of my duty may be productive of that to which all punishment tends—the prevention of crime."

TOWER STAIRS.

CHAPTER VIII.

THE FIRST TIGHTENING OF THE REINS.

We now come to another stage in the onward career of the Penitentiary. The committee, compelled to admit that the discipline was not sufficiently severe, resolved to tighten the reins. In order to understand this decision

we must take into consideration certain influences at work outside the walls.

There was, about this time, a sort of panic in the country at the alarming prevalence of crime. Its continuous and extraordinary growth was certainly enough to cause uneasiness. In the years between December, 1817, and December, 1831, it had increased 140 per cent.* For this there was more than one reason, of course. One unquestionably was the transition from a state of war to one of peace, followed by a great increase of population with a diminution in the demand for labour. No doubt the prevalence of distress or plenty among the poorer classes must have an appreciable effect upon the statistics of crime. "It is so easy for rich people to be honest," says Becky Sharp. They know not the potent temptations that lure a starving wretch to theft, or worse. To them the dearness of food is only an inconvenience, while scarcity of work has no meaning at all. The nearer, then, that the masses approach a general level of comfort and ease, the more should offences decrease. Although they cannot be expected to disappear altogether while human nature is constituted as it is, they are certainly decreasing to-day, because the material prosperity of the country is removing many of the incentives to crime. At the time of which I am writing it was far otherwise: wide-spread distress swelled the ranks of the dangerous classes, and drove into evil ways many who would willingly have been honest, like Becky Sharp, if they had not been so poor. This, as I have said, was one reason. But another, and no insignificant cause, was the comparative

* December 31, 1817, Committed 56,308, Convicted 35,259.
December 31, 1824, „ 92,848, „ 62,412.
December 31, 1831, „ 121,518, „ 85,257

immunity enjoyed by offenders. It came now to be understood that the lot of the transgressors was far from hard. The system of secondary punishments in force for their correction was felt to be inadequate, either to reform criminals or deter from crime.* Here was an explanation: evidently a screw was loose in the way in which the sentence of the law was executed. The judges and the juries did their duty, but the criminal snapped his fingers at the ordeal to which they subjected him. This discontent with our own system of imprisonment grew and gained strength, till at last the whole question of secondary punishments was referred to a Select Committee of the House of Commons.

All prisoners found guilty of crimes against the law were at that time disposed of by committal for short periods to the county goals and houses of correction, or they were sentenced to transportation for various terms of years. Those whose fate brought them within the latter category were further disposed of, according to the will of the Home Secretary, in one of these ways:—either, 1st, by committal to Millbank Penitentiary; or, 2nd, by removal to the hulks; or, finally, by actual deportation to the penal colonies beyond the seas. There were therefore four chances for a criminal. How he fared in each case, according as his fate overtook him, I shall proceed to describe.

The county goals were in these days still faulty. They made no attempt to reform the morals of their inmates, nor could they be said to diminish crime by the severity of their discipline. Indeed, they held out scarcely any terrors to the criminal. Of one of the largest, Coldbath Fields,

* Select Committee on Secondary Punishments, 1831–2.

Mr. Chesterton, who was appointed its governor in 1829, speaks in the plainest terms. "It was a sink of abomination and pollution. The female side was only half fenced off from the male—evidently with an imfamous intention; all its corrupt functionaries played into each others hands to prevent inquiry or exposure."* "None of the authorities who ruled the prison had acquired any definite notion of the wide-spread defilement that polluted every hole and corner of that Augean stable." † "Shameless gains were promoted by the encouragement of all that was lawless and execrable."‡ The same writer describes Newgate, which he visited, as presenting "a hideous combination of all that was revolting." § The thieves confined therein smoked short pipes, gamed, swore, and fought through half the night: the place was like a pandemonium. Again, "The prisons of Bury St. Edmund's, Salford, and Kirkdale created in my mind irrepressible disgust. I wondered why such detestable haunts should be tolerated." Gaolers and criminals were on the best of terms with each other. At Ilchester the governor was in the habit of playing whist with his prisoners, and at Coldbath Fields the turnkeys shook hands with new arrivals and promised to take "all possible care" of them. With all this there was such a deficiency of control that unlimited intercourse could not be prevented, and there followed naturally that corruption of innocent prisoners by the more depraved which was a bugbear even in the time of Howard.

But, indeed, it was a wonder that Howard did not rise from his grave. Half a century had elapsed since his

* Chesterton, i. 108. † Ibid. ‡ Ibid.

§ Convicts frequently arrived at Millbank from Newgate drunk, escort and prisoners having visited one or two public houses *en route*.

voice first was heard, and yet corrupt practices, idleness, and widespread demoralization characterized the greater part of the small prisons in the country. Herein were confined the lesser lights of the great army of crime, and if they escaped thus easily, it could not be said that the more advanced criminals endured a lot that was much more severe. The reader has, perhaps, some notion by this time of the kind of punishment to be met with in the walls of the Penitentiary; of the hulks, too, I have already spoken. The third method of coercion, by transportation, that is to say, beyond the seas, remains to be described; but this I reserve for a later page,* recording only here the opinion of the committee of 1831, that as a punishment transportation held out to the dangerous classes absolutely no terrors at all. "Indeed, from accounts sent home, the situation of the convict is so comfortable, his advancement, if he conducts himself with prudence, so sure, as to produce a stray impression that transportation may be considered rather an advantage than a punishment."

After a long and careful investigation, the committee wound up their report with the following pregnant words: "Your committee having now passed in review the different modes of secondary punishment known to the practice of this country, wish once more to direct the attention of the House to their obvious tendency. If it is a principle of our criminal jurisprudence, that the guilty should escape rather than the innocent suffer, it appears equally a principle, in the infliction of punishment, that every regulation connected with it, from the first committal of a prisoner to gaol to the termination of his

* See vol. ii. chapters i.-v.

sentence of transportation, should be characterized rather by an anxious care for the health and convenience of the criminal than for anything which might even by implication appear to bear on him with undue severity. It cannot then be deemed surprising that, in an over-peopled country, where a great portion of the community must necessarily be exposed to considerable privation, and where consequently the inducement to the commission of crime under any circumstances must be great, those who have been brought up with little attention to their moral improvement should, when urged by the pressure of want, yield to the temptation. On the one hand they trust to the uncertainty of the law and the chance of impunity it presents, while in the event of conviction they know that the worst that can befal them will be a change to a condition often scarcely inferior to that they were in before."*

It will be easily seen now, why the authorities at Millbank wished to set their house in order. Not that the select committee had reported really unfavourably upon the Penitentiary; on the contrary, after close inspection they spoke of Millbank in the highest terms. "Nothing," they say, "can exceed the order and cleanliness which characterizes every department." Again, "As a place of punishment, it possesses one great advantage over any other in the country—in being generally dreaded for the strictness of the discipline and the irksomeness of the confinement." Yet it had its faults, and doubtless it was the recapitulation of these that shook the self-complacency of its rulers.

But it was clear that up to this time they had been

* Report of Select Committee on Secondary Punishments, 1831 and 1832.

perfectly well satisfied with the place. Captain Chapman reported, at the end of 1830, that it afforded him the greatest satisfaction to place on record the good order and regularity of the prison. "Serious reports rarely occur. At no period since the first opening of the institution has it been in so high a state of discipline and subordination." Of course this paragraph was penned in good faith; but it can hardly be said to agree with actual facts—at least opinions differ as to what constitutes serious misconduct. But the committee endorsed the statement, and for a time all went well. Then came the parliamentary inquiry, only a few months later, and the committee of Millbank awoke all at once to the true condition of the prison. On account of the repeated "irregularities" laid before them, they now considered it necessary to "ascertain whether any, and what abuses existed; and whether there were any, and what defects in the system upon which the prison was conducted." The whole subject was therefore entrusted to a sub-committee, with full powers to examine and report. All the officials resident in the place were, of course, consulted in turn, and drew up statements of their views upon the causes at work.

This sub-committee, after some months of patient investigation, were of opinion that all the irregularities arose from "the too great intercourse which the present system permits prisoners to hold with one another. The comparatively ignorant are thus instructed in schemes and modes of vice by the hardened and the depraved; and those upon whom good impressions have been made are ridiculed and shamed out of their resolutions by associating with the profligate." We have here an admission that

one of the old evils of prison life—indiscriminate association—which was to have been abolished by the Penitentiary system, was still in full vigour, and that in fact it had never been interfered with.

The committee arrived therefore at the conviction "that the prosperity and well-being of the establishment must depend upon effecting a *more strict seclusion of the prisoners*, one from another." But as this increase of the solitary hours must inevitably increase the rigour of imprisonment, it was proposed now to shorten the term which every prisoner was required to pass in prison, and under the new rules.

In support of which they urged that in no case does the work of amelioration "advance after a certain period." Under the existing system no prisoner was found to improve after 2½ or 3 years in the prison. "The monotony and absence of stimulus, which are the invariable consequence of long imprisonment, produce a languor even in the most robust subjects, which is equally prejudicial to the bodily exertion and the mental improvement of the prisoner."

The committee then proceeded to point out the evils of the "classes" through which each prisoner passed.

At his first arrival at the Penitentiary a "partner" was appointed for him to walk with in the airing yard. The selection was the result of chance. No. 1 cell walked with No. 2, No. 3 with No. 4, and so on. According to the chance of which cell was vacant, the new prisoner found his companion. Thus it often happened that the new comer was thrown into constant association with an old hand, up to all the schemes and tricks of the prison; or a countryman fell in with a London thief, or a burglar

long trained to housebreaking or the worst of crimes. To put a stop to all this, notwithstanding the hardships of it, it was proposed that exercise should in future be in single files.

But a still greater evil arose from the practice of employing the prisoners in the second class at associated labour. Being thus together for many hours during the day communication between them could not be prevented. Cases were known of prisoners who had passed well through the first class, becoming soon "entirely depraved by entering the second. Indeed some, on the point of promotion or just after it, begged to be kept in, or put back into the first class" as the only means of saving themselves from the seductions of their profligate comrades; and instances have been related of prisoners who had, after having quitted the Penitentiary, committed crimes and been convicted, having attributed their ruin to the evil of the second class."

This plan of working together must therefore be abolished. But what to substitute? Although so much money had been spent already, it was felt that more might well be employed in effecting so desirable a result; but happily a plan was suggested which would obviate fresh outlay.

One scheme was to throw a number of cells into one large working room, where the prisoners might work in company certainly, but under close supervision of officers. The insecurity of the foundations unfortunately forbade this. The other plan suggested was a simple re-arrangement of the wards, by which, as the Penitentiary was never quite full, a number of extra cells were given to the second-class wards, enough to allow every second-class prisoner one to himself, wherein to sleep at night and work all day.

It is to be hoped that the reader is not yet weary of these details. There is no doubt, and not unnaturally, a notion prevalent among many that the subject of prison discipline has been nearly done to death. What with native dryness, and added verbiage, a chapter about it is felt to be less interesting than one of Scuderi's romances, or a page in a dictionary of dates. Yet prison discipline at the date at which we have arrived was the topic of the hour. Its discussion filled the public prints and men's mouths wherever they talked, whether in the Houses of Parliament or in the world at large. As Millbank continued to be intimately connected with the subject throughout, I cannot omit from these pages a somewhat extensive review of the whole question.

There was no doubt in these days a very general impression with us, that in matters of prison discipline we had much to learn from the practice of the United States. This led to the despatch of Mr. Crawford, as special commissioner, to report upon the American penitentiaries. The results of his labours were embodied in a Blue Book,* which appeared in 1834, and which was thoroughly exhaustive of the subject. Having carefully inspected all the prisons, and compared them one with another, he was enabled to sum up decisively in favour of that which he thought most worthy of imitation. Taken broadly, the penitentiaries of the United States might be classed in two principal groups. There was the system of Pennsylvania, and there was the system of the State of New York. Of the first the leading characteristic was that the prisoners were subjected during all their sentence to solitude the most

* Penitentiaries of the United States.

absolute and severe; in the second, the prisoners worked together in troops, but in silence, enforced by the strictest supervision and the lash. The first has been called the "separate" system; and the latter the "silent." By these titles they are still known to the student of social science, and to their respective champions in this country and elsewhere.

The quakers of Pennsylvania were undoubtedly early in the work of prison reform. At a time when Howard was lifting up his voice against the state of the English prisons, they also were busy in softening the severity of their penal code. They abolished the punishment of death, and made more than one effort to discover some substitute. The first found was certainly a failure. It consisted in forced ignominious labour in the public streets. The convicts, with their heads shaved, shackled, and in a hideously distinctive dress, were turned out to work amidst the populace. Their conduct when thus exposed proved outrageous; drunkenness, profanities, and indecencies prevailed to such an extent that it was dangerous for the public to approach them. Every spark of right feeling and propriety was altogether extinguished in them. They begged openly from the passers-by; collected around them crowds of idle boys, and held with them the most disgraceful conversation; planned and carried out the most desperate escapes; and when again free were a terror to all from their violence and unrestrained depravity. This could not last long, and within four years the second experiment was tried. An old war-prison, in Walnut Street, Philadelphia, was appropriated for criminals. The sexes were separated, trades were taught, and a certain

number of single cells built, "in the hope that the addition of unremitted solitude to laborious employment, as far as it can be effected, will contribute as much to reform as to deter." "The erection of these cells," says Crawford, "and the introduction of trades excited shortly afterwards considerable attention. Visitors struck by the manufacturing character of the establishment, and the apparent industry of its inmates, hastily assumed that the ends of punishment were at once accomplished; and the Walnut Street prison, great as were its defects, was pronounced to be a model for general imitation." This impression was strengthened by the fact, that about this period, crime (from other causes) sensibly diminished, and at first the gaol got all the credit. But its discipline was very far from perfect. In the main body of the prison indiscriminate association was permitted, and the prisoners could talk together as they chose during the hours of work. The separate cells were useless. They were too small, badly ventilated, and did not "separate" people at all. So far from being a model, the Walnut Street prison was in every way unsatisfactory from the earliest date.

The next effort, the erection of the Pittsburg Penitentiary, in 1818, also proved a failure. Here solitary confinement without labour was to be the rule; but this, when the building was finished, was found impossible. The convicts were indeed confined in separate cells, but they could, and did freely communicate with each other. These facilities for corrupt intercourse were greatly increased by the idleness in which they spent their time; and the results generally were so mischievous, that the legislature determined to erect another prison, if possible,

on better principles. The result was the celebrated Eastern Penitentiary. No pains or costs were spared on its construction. The cells were large, and contained within them all necessary appliances; for here, alone, the prisoners were condemned to remain for ages, perhaps for ever. On arrival, the convict was taken into an office at the entrance, examined, bathed, clothed in prison dress, then blindfolded and marched to his cell. He was like a live man entering his tomb; he was dead and buried to all interests and purposes, for the world knew him no more, nor he the world. The process of his reception recalls somewhat the mysterious fate that overtook unfortunate offenders in the dark ages. As he was led with bandaged eyes, by long passages, he knew not whither, a solemn voice was heard admonishing him, reminding him of his position, and requiring implicit obedience for the future. On arriving at his cell the hood was removed and he was left alone. There he might remain for years, perhaps for life, without seeing any human being but the inspectors, the warders, and his officers, and perhaps occasionally one of the official visitors of the prison. For the first day or two he was left entirely to his own thoughts, without work and without even a Bible to read. The hours of isolation were aggravated by his unbroken idleness, and the prisoner driven in on himself soon petitioned for employment. But it was not "till solitude appears to have effectually subdued him that employment of any kind is introduced into his cell. Under such circumstances labour is regarded as a great alleviation; and such is the industry manifested, that with few exceptions has it been necessary to assign tasks."

Mr. Crawford was greatly captivated by what he saw in the Eastern Penitentiary. He found the deterring influence greater, as he thought, than in any other system of gaol management. The prisoners whom he examined were unanimous in their testimony that solitude was the most corrective of all punishments. He was indeed "particularly struck by the mild and subdued spirit which seemed to pervade the temper of the convicts, and which is essentially promoted by reflection, solitude, and the absence of corporal punishment." There were few prison offences in the Eastern Penitentiary. There was no scope for their commission. The caged-up criminal could only be idle, or in a fit of sullenness and temper destroy the materials at which he worked. "Solitary imprisonment," goes on Mr. Crawford, warming with his subject, "is not only an exemplary punishment, but a powerful agent in the reformation of morals. It inevitably tends to arrest the progress of corruption. In the silence of the cell contamination cannot be received or imparted. A sense of degradation cannot be excited by exposure, nor reformation checked by false shame. Day after day, with no companion but his thoughts, the convict is compelled to reflect, and listen to the reproof of conscience. He is led to reflect on past errors, and to cherish whatever better feelings he may at any time have imbibed. These circumstances are in the highest degree calculated to ameliorate the affections and reclaim the heart." Of course Mr. Crawford from henceforth became a consistent supporter of this method of prison management. He considered it safe and efficacious, without unfavourable effect upon either mind or health; and when accompanied by sufficient moral and religious

instruction, it might be rendered "powerfully instrumental," not only in deterring but also in reclaiming the offender."

So much for the "separate system": let us turn now to the "silent"—silent but not solitary, for the name is a slight misnomer and calculated to mislead. The first mentioned system was also most essentially "silent," unless a prisoner liked to talk to himself; but the latter has gained this special epithet mainly because the prisoners, though congregated, were absolutely forbidden to converse with each other.

The leading examples of this method were the prisons of Auburn and Sing-Sing, in the State of New York, wherein the prisoners were not caged up singly, and treated like dangerous beasts, to be tamed only by unbroken confinement, but they were allowed to associate, partly, at least to see one another. They slept in separate cells, but by day they worked together in gangs, under the eye of authority. Large shops, *ateliers*, were filled with the various tradesmen, who were required to continue their labours with downcast eyes; if detected at any time in looking off their work, communicating, or attempting to catch another prisoner's eye, they were immediately flogged. The punishment was summary: every warder carried a "cat" of cowhide on purpose, and there was no limit to the number of lashes laid on. The power thus confided to subordinate officers was unchecked, and led often to outrageous excesses. Horrible stories are told by Crawford, of weak minded persons beaten black and blue; of others found bleeding from the head and face, with their shirts sticking to their backs, and with old sores breaking out afresh; of prisoners knocked down for making gestures, or for being slow in

coming out of their cells, and kicked when on the ground. A more revolting case was that of a pregnant woman, Rachel Welsh, who was nearly flogged to death by one Cobb, an assistant keeper. She was obstinate, violent, and abusive; and for this she was held down by two negroes while he beat her. When examined afterwards by the doctor she was found black and blue from the neck to the small of the back, and the marks of the blows extended to her sides and to the calves of her legs. Having lain long in a dangerous state she partially recovered, but after her confinement died, "under a succession of the most distressing sufferings." Although the whipping was admitted to be a proximate cause of death, Cobb escaped, and was not even removed from his situation. Such repressive measures could not fail to exercise a powerful effect on the prisoners: but though otherwise well disciplined, communication could not be entirely prevented among them; notes passed notwithstanding, tending to incite to insurrection; and so far as they could safely venture they were found talking, laughing, singing, whistling, altercating, and quarrelling with each other and with the officers. "They *will* idle away their time in gazing; and will waste, or destroy the stock they work upon," says one witness. Naturally Mr. Crawford was hostile to the system here described. "In the permanent effects the Auburn discipline is alleged to produce, I have no faith. It is true that the discipline of the lash produces instantaneous submission; but this obedience is of but a temporary nature. It imparts no valuable feeling, and presents no motive that is calculated to deter eventually from the commission of crime and amend the moral character."

As compared with one another, he calls the discipline of Philadelphia moral, and that of Auburn physical. "The whip inflicts immediate pain; but solitude inspires permanent terror. The former degrades, while it humiliates; the latter subdues, but it does not debase. At Auburn the convict is uniformly treated with harshness, at Philadelphia with civility; the one contributes to harden, the other to soften the affections. Auburn stimulates vindictive feelings; Philadelphia induces habitual submission."

No wonder that after summing up thus, Mr. Crawford declared for the system that provided complete solitude for the prisoners. There were horrors in the method by which Auburn and Sing-Sing were managed sufficient to condemn it. On the other hand, cellular seclusion and the reformatory results that were to flow therefrom could not fail to constitute a plan attractive to every enlightened mind. Unfortunately, practice in this, as in numberless other cases, fell short of theory; and we know by the light of our modern experience that solitary imprisonment protracted beyond certain limits is impossible except at a terrible cost. This price is, that the prison becomes the ante-chamber of the madhouse, or leads even to the tomb. It has taken years to establish this now incontrovertible conclusion, but it is now so distinctly known that argument seems superfluous. We might quote here from the pages of a popular romance, which did much to expose the fatal effects of solitary confinement long continued, but Mr. Reade's story is a little over-coloured. The language of Charles Dickens is more to the point, because he speaks from close personal observation. He thus gives his opinion of the method in vogue at the Eastern Penitentiary when he visited it in 1842:—

"In its intention I am well convinced that it is kind, humane, and meant for reformation; but I am persuaded that those who devised this system of prison discipline, and those benevolent gentlemen who carry it into execution, do not know what it is they are doing. I believe very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers. . . . I hesitated once, debating with myself, whether, if I had the power of saying 'yes' or 'no,' I would allow it to be tried in certain cases when the terms of imprisonment were short; but now I solemnly declare, that with no rewards or honours could I walk a happy man beneath the open sky by day, or lie me down upon my bed at night, with the consciousness that one human creature for any length of time, no matter what, lay suffering this unknown punishment in his silent cell, and I the cause, or I consenting to it in the least degree." * This forcible language is fully justified when animadverting upon absolute and long continued solitary confinement. This principle was for a time established at Millbank, with what results we shall by-and-by see. At Pentonville also, the model prison, constructed in 1841–2, solely to carry out this solitary imprisonment, the term of confinement had to be reduced by degrees from two years to nine months, the maximum period enforced to-day in the case of convicts in government hands. Some prisoners still undergo two years in various county prisons; but in this case the confinement is not absolutely solitary. There are many breaks in on the loneliness of the hours: attendance with others at church, associated exercise, visits from chaplain,

* American Notes.

schoolmaster, and trade instructor. As these are permitted in our modern method of separate confinement, the punishment, if it really be irksome—which is by no means certain—is at least robbed of half its terrors.

But to return to Crawford in 1834. Having thrown in his lot with the advocates for complete solitary imprisonment, he fought bravely for his opinions. But he was vigorously opposed. There were not wanting advocates of the congregate, or "silent" system, partly, I apprehend, because it would have entailed enormous expense to supply separate cellular accommodation for every prisoner, in every gaol throughout the kingdom. Many who had the management of prisons naturally leant to the method which was capable of execution in the existing buildings. Where two plans of treatment have each certain merits of their own, and the superiority of neither is distinctly and finally proved, that which is the cheapest generally claims support. To enforce solitary confinement everywhere meant the re-construction of almost every prison in the kingdom. Only now, after a lapse of nearly forty years, has this entire separation been universally provided. However much, in 1834, people went with those who advocated complete prison reform, few cared to countenance the expenditure of millions to attain it, especially if equal results could be otherwise obtained. There sprang up, therefore, a large class, officials and others, who, while admitting that reform in discipline was greatly needed, considered that it was sufficient to insure separation of prisoner from prisoner by night, but that they might work together by day, provided only that silence was rigorously maintained. In other words, they became the partizans, openly acknowledged, of the Auburn system which

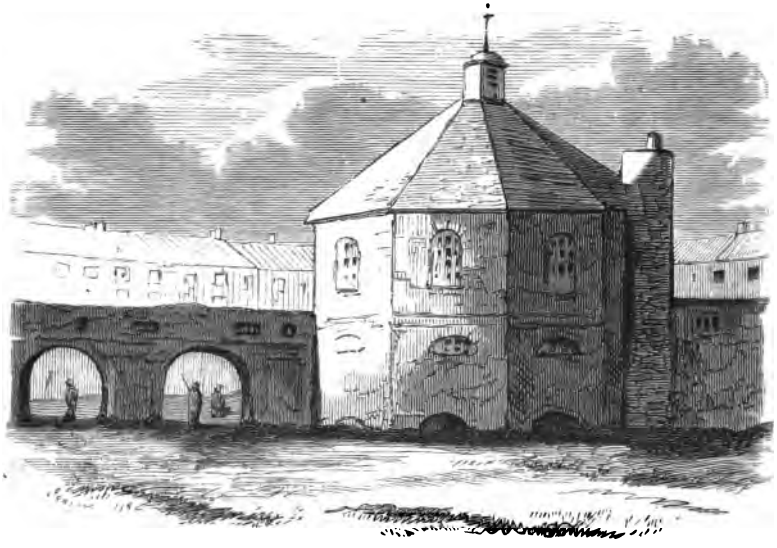
Mr. Crawford had so loudly condemned. Its faults, they said, lay rather with the practice than with the principle. Eliminate the brutality, deprive subordinate officers of their cowardly cow-hide "cats," vest authority to punish in the supreme head of the prison alone, and the leading objections to that system were successfully removed. I do not wish to travel over all this ground again, or to re-open the dispute, which, for all the heat that animated it once, is long since dead and buried. In our practice to-day, by a simple compromise, we have nearly solved the problem: we subject our prisoners to solitary confinement for a time, for as long, in point of fact, as by our modern experience we find it feasible without damage to life or understanding. Whenever the sentence exceeds this limit of time, the prisoner passes into "association;" in other words, he works in company with others, but in silence, as far as it is humanly possible to enforce the rule.

But in 1834, and the years immediately following, the question was in course of animated discussion. The Millbank committee undoubtedly leant to Mr. Crawford's side. Already, as I have related in a previous chapter, they had changed greatly the system of classes. Every prisoner was lodged in a separate cell. They were exercised in single file, at long intervals, circling round an officer, who stood in the centre to check all attempts at conversation between them. Then, at the end of 1836, the committee report that "great and important changes are contemplated in the general discipline of this institution, with a view to render the punishment of prisoners more certain and severe. But by far the most interesting subject, both as regards punishment and reformation, is the experiment intended to be made in

the total separation of individuals, by confining them in cells so constructed as to render all communication between them impracticable. The committee are so fully sensible of the evils resulting from communications between prisoners, that they would hail as a great public benefit the introduction of a plan which should effectually obviate these evils without endangering the mental and bodily health of the prisoners."* Next year we hear that the cells by which the complete separation of prisoners was to be insured, were all but completed. The committee go on to say, "Whether the separate system, as it is called, is likely to be attended, either with the benefits its supporters anticipate, or with the evils its opponents denounce, it is not for the committee to decide. The merits or demerits of the system can only be ascertained by actual experiment."

Some notion of the results of the experiment will be obtained from this narrative as it proceeds.

* Annual Report to the House of Commons.



THE CHAPEL.

CHAPTER IX.

THE CHAPLAIN'S REIGN.

When the new system to be pursued at Millbank was under discussion, as described in the last chapter, one of the most important of the projected improvements was suggested by the new chaplain, Mr. Whitworth Russell. By it he hoped "to be enabled to afford to the prisoners generally, a regular course of religious instruction." He proposed that "the open part of the chapel should be provided with benches, so that he might assemble daily, large classes for religious instruction." To these classes he was to devote three hours every morning, the schoolmaster performing the same duty

in the afternoon. During the morning instruction by the chaplain this schoolmaster had to visit the prisoners, cell by cell, either collecting information, as to the previous habits and connections of the prisoners, or carrying on the instruction commenced at school or the lectures in chapel.

In this last paragraph we have struck the key-note of the system that was now to prevail with increasing strength, till by-and-by, as we shall see, it grew altogether supreme. Never since the opening of Millbank, in 1817, had the spiritual welfare of the prisoners been forgotten, nor the hope abandoned of reforming them by religious influences. But now, and for years to come, the chaplain was to have the fullest scope. Whether much tangible benefit followed from his increasing ministrations, will be best shown in these pages as my narrative proceeds; but it cannot be denied that the efforts of Mr. Whitworth Russell, and of his successor, Mr. Nihil, who in himself combined the offices of governor and chaplain, were praiseworthy in the extreme. Speaking, however, with all due reverence, I cannot but think that their zeal was often misdirected; that conversion, such as it is, obtained by force almost, could never be either sincere or lasting; and in short, that the continued parade of sacred things tended rather to drag them into the mire, while the incessant religious exercises—the prayers, expositions, and genuflexions, were more in keeping with a monastery of monks than a gaol full of criminals.

There are numberless instances scattered up and down among the records of the sort of spirit in which the prisoners received their sacred instruction. It was the

custom for a monitor, specially selected from among the prisoners, to read aloud the morning and evening service in each ward. He was frequently disturbed. Once when "Balaam's" name appeared in the lesson, it was twisted into "Ba—a— Lamb!" and as such went echoing along with peals of laughter from cell to cell. The monitor was frequently called upon for a song just before he gave out the hymn; others mocked him as he sang, and sang ribald verses so loud as to drown the voices of the rest; many said they couldn't sing, and nothing should compel them; often they would not join in the Lord's Prayer—there was no law they said to make them say their prayers against their wills. Then a certain Joseph Wells, an old offender, was reported for writing on his pint cup these lines:—

"Yor order is but mine is
for me to go that I'll go to
to chapel, Hell first";

and when remonstrated with, he merely laughed in the governor's face. There was constant antagonism between the prisoners and their comrade the monitor, generally over the church catechism, in which, as a species of chaplain's assistant, the latter had to instruct the others. "What's your name?" he asks one. "George Ward; and you know it as well as I do," replies the prisoner. Another reads his answers out of the book. The monitor suggests that by this time he ought to know the catechism by heart. "Ah, every one hasn't got the gift of the gab like you have. And look here, don't talk to me again like that, or you'll be sorry for it." Again, as a proof of the glibness with which they could quote scrip-

tural language, I must insert here a strange rhapsody found on a prisoner's slate. He himself pretends to be dumb. When spoken to, he merely shook his head and pointed to the writing. It was as follows:—

"My kind Governor,—I hope you will hearken unto me, as your best friend; in truth I am no prophet, though I am sent to bear witness as a prophet. For behold my God came walking on the water, and came toward me where I stood, and said unto me, Fear not to speak, for I am with you. Therefore I shall open my mouth in prophesies, and therefore do not question me too much; but if you will ear my words, call your nobles together, and *then* I will speak unto you of all he has given me in power, and the things I shall say unto you shall come to pass within 12 months; therefore be on your guard, and mind what you say unto me, for there be a tremor on all them that ear me speak, for I shall make your ears to tingle. And the first parable I shall speak is this: Behold, out of the mire shall come forth brightness against thee."

This man, when brought before the governor, continued obstinately dumb. The surgeon consulted was satisfied he was shamming, but still the prisoner persisted in keeping silence. "Is there any reason why he should not go to 'the dark?'" the surgeon was asked. "Certainly not; on the contrary, I think it would be of service to him." And to the dark he goes, where he remains for six days, till he voluntarily relinquished the imposture.

The energy and determination of the new chaplain, who was appointed about the time the new rules were established, were very remarkable. He was a man of decided ability, and his influence could not fail to be soon

felt throughout the prison. Perhaps in manner he was somewhat overbearing, and disposed to trench on the prerogative of the governor as to the discipline of the establishment. He soon came into collision with the prisoners. Many "tried it on," as the saying is, with him, but signally failed; and any who were guilty of even the slightest disrespect were immediately punished. Mr. Russell constantly reported cases of misconduct. Thus, having asked at school, whether any present had been unable to write on coming into prison, a man, Fleming, said, "Yes! I could not." "You have every cause to be thankful, then, at the opportunities afforded you here." "Not at all," replied Fleming. "I have reason to curse the Penitentiary and everybody belonging to it." "Be silent," said the chaplain. "I shall not stand by and listen to such reprehensible language." "I'll not be gagged. I shall speak the truth," persisted Fleming; and for this without loss of time he was transferred to the dark.

All the chaplain's professional feelings were also roused by another incident that transpired not long after his arrival. It was discovered that a prisoner, George Anderson, a man of colour, who had been educated at a missionary college, had through the connivance of a warder been endeavouring to sow the seeds of disbelief in the minds of many of the prisoners. He had turned the chaplain and his sacred office into ridicule, asserting that the services of the Church of England were nonsense from beginning to end, that the prayers contained false doctrine, that the Athanasian Creed was all rubbish, and that the church "went with a lie in her right hand." This man Anderson must have been a thorn in the chaplain's side, for they had

more than once a serious scuffle in the polemics of the church. Mr. Russell got "warm" in the discussion of a certain passage in Scripture, and jumping up suddenly to reach his Bible, struck his leg against the table. After this Anderson had drawn a caricature of the scene, writing underneath, "Oh, my leg!" and from henceforth the chaplain went by the name of "Oh, my leg." At another time there was a long dispute as to the date of the translation of the Septuagint, and upon the service for "the Visitation of the Sick." Anderson on returning to his cell from Mr. Russell's office, had been in the habit of taking off his coat, and shaking it, saying always, "Peugh —— I smell of fire and brimstone." One cannot refrain from observing here how much better oakum picking would have suited Anderson than theological controversy.

Fortunately among the prisoners were two—Johnson and Manister Worts—who were more than a match for the unorthodox black man. Though Anderson maintained that the Athanasian Creed was objected to by many able divines; though he took exception to the title, "religious" given to the King in the prayer for the High Court of Parliament, whether he was religious or not; though he maintained that his animadversions upon the church were the very words used by his former pastor, the Reverend Silas Fletcher, from the pulpit—yet the knowledge and acquirements of Johnson and Worts enabled them "triumphantly to refute Anderson."

Nor were the women behindhand in giving the chaplain annoyance. In the middle of the service on one occasion a woman jumped up on to her seat, crying out, "Mr. Russell, Mr. Russell, as this may be the last time I shall

be at church, I return you thanks for all favours." The chaplain replied gravely that the House of God was no place for her to address him, but the attention of the male prisoners in the body of the chapel below was attracted, and it was with some difficulty that a general disturbance was prevented. At another time there was actually a row in the church. Just as the sermon began, a loud scream or huzza was heard among the females. At first it was supposed that some woman was in a fit, but the next moment half a dozen Prayer-Books were flung at the chaplain's head in the pulpit. With some difficulty the culprits were removed before the uproar became general; but as soon as the chaplain had finished his sermon, and said "Let us pray," a voice was heard audibly through the building replying, "No, we have had praying enough." A more serious affair was only prevented with difficulty a year or two later when the women in the galleries above plotted to join the men in the body of the church below in some desperate act.

Mr. Whitworth Russell, however, through it all continued to exhibit the same unwearied activity and zeal. He never spared himself; and as the years passed by, he became known as one experienced in all that concerned prisons and their inmates. Therefore it was that, when the cry for prison reform echoed loudly through the land, he was named one of Her Majesty's inspectors of prisons. His colleague was Mr. Crawford, who has been mentioned in these pages already; and they divided the whole of Great Britain between them. How vigorously they applied themselves to their task will be best seen by a reference to their voluminous reports, which issued year by year, in

huge quarto volumes, from the parliamentary printers. They contributed in no slight degree to subsequent legislative action in matters connected with prison discipline, and the reader will meet with both names again in future pages of this book.

Mr. Russell was succeeded as chaplain at Millbank by the Rev. Daniel Nihil, a gentleman who soon gave satisfactory evidence that he was worthy to wear his predecessor's mantle. All that Mr. Russell did, did Mr. Nihil also, and more. Ere long he found himself so firmly established in the good graces of the committee, that he was soon raised by them to wider, if not exactly higher, functions. In 1837 it was decided that he should hold the appointment of both governor and chaplain combined.

On the 15th of April in that year, the governor, Captain Chapman, wrote to tender his resignation for various reasons. "The changes that have taken place, those about to be introduced by the new Bill, his advanced age and indifferent health, induced him to consider it due to the public service to retire, for the purpose of enabling the committee to supply his place by the appointment of an officer who might begin the new system at its commencement." In reply came a gracious message from the committee, to the effect that they were aware of the "unwearied assiduity, zeal, and ability" with which he had discharged his arduous duties for fourteen years, and they recommended him "for the most liberal and favourable consideration of the Secretary of State, on account of his long and faithful services."* At the same meeting it was at once mooted that Mr. Nihil should succeed to the vacancy.

* The pension granted him by the Treasury was £200 a year.

But first the sanction of the bishop of the diocese was sought, and of the Secretary of State, to both of whom deputations were despatched, seeking their views on the subject.

The Rev. Mr. D'Oyley next meeting reported to the committee that "the Bishop of London, after much consideration, approved of the plan, thinking that the advantages would more than counterbalance any probable disadvantages from the office of governor being held by a clergyman;" and Mr. Gregson said he had had an interview with the Under Secretary of State, "who informed him that Lord John Russell had no objection to the appointment of a clergyman as governor, provided he was in all other respects properly qualified for the office; and that it had even occurred to his Lordship, before the communication from Mr. Gregson, that the appointment of a clergyman might in some respects be most desirable as a governor of the Penitentiary."

"Under these circumstances, the committee being of opinion that the Rev. Daniel Nihil, from the zeal and energy which he has shown in the performance of the duty of chaplain, and from the judgment and intelligence which he has displayed on the subject of prison discipline, is a most fit and competent person on this occasion to fill the situation of governor of the Penitentiary."

He was, therefore, duly appointed on the 29th April, 1837. But soon after this, Lord John Russell, having apparently reconsidered the question, called upon the committee to furnish him with their reasons, and the principles upon which they had acted in filling up the vacancy.

They reported, accordingly, that from experience they

had found the great practical inconvenience of "having two officers, each supreme in his own department: the governor as the head of the penal, the chaplain of the religious part of the system. In a penitentiary these two parts are so intimately blended that jars and jealousies between the governor and the chaplain are inevitable when the authority is thus divided. The governor being responsible for the maintenance of the discipline of the establishment, and having the sole direction and control of the inferior officers, is naturally satisfied with their conduct provided they maintain the discipline; whereas the chaplain, if a conscientious man, is anxious that together with the maintenance of discipline, the great reformative purposes of the institution should be promoted, or, at least, not counteracted, by the inferior officers. The Rev. W. Russell, late chaplain, in his evidence before Parliament, complained that his ministerial labours were often thwarted by the indifference to religion which was too generally manifested on the part of the inferior officers: and the present chaplain concurs in the same complaint. Mr. Nihil was appointed because he seemed eminently qualified for the office of governor, and it was in consideration of his personal fitness, and without meaning to sanction the general principle that a chaplain ought always to be the governor. But the supreme authority over every part of the penitentiary system being now exercised by the same individual, he will be enabled to select and superintend the inferior officers, both with a view to the maintenance of discipline, and also to the promotion of the moral and religious objects of the institution. This will put an end to the collision which has so frequently occurred between the rival departments,

and will impart vigour and unity to the whole system." There would be no larger salary given to Mr. Nihil than Captain Chapman had, but it would be necessary to appoint an assistant chaplain, by which arrangement the religious efficiency of the establishment would be greatly increased, without any increase whatever of expense.

"The whole plan now recommended by the committee is the result of a careful and anxious consideration of the various bearings of the subject. If one clergyman were to hold the office of governor only, and another that of chaplain, the latter, according to the Acts relating to the Penitentiary, would be the chief religious officer, and the clerical governor, if willing to take a portion of the spiritual labour, could only do so as an assistant or deputy to the chaplain, and such an arrangement would tend to revive those jealousies which have heretofore arisen from having two co-ordinate officers; whereas the plan now recommended obviates this difficulty by vesting in one individual the supreme authority both in the temporal and religious concerns of the institution, while it assimilates the relative positions of the two clergymen to those of a rector and curate of the same parish."

To this Lord John Russell replied, that being "unwilling to stand in the way of an arrangement which the superintending committee consider advisable, he is therefore prepared to sanction that which is now proposed of uniting the offices of governor and chaplain in the same person, and appointing an assistant chaplain. But his lordship desires that this arrangement may be considered only as an experiment, it appearing to him that the strict enforcement of discipline in a prison is a duty hardly to be

reconciled with the consoling and charitable offices of a minister of religion, and that the governor and chaplain must lose by a combination of the two characters. The motives to which the governor must appeal, are the fear of punishments and the dread of privations,—the chaplain, on the contrary, uses means of persuasion, and rouses conscientious feelings. It will be a serious evil should the governor be deterred by his spiritual ministration from a fearless enforcement of the rules; or the chaplain find his instruction impaired by the association of punishment and severity with the exercise of his religious calling. Lord John Russell, therefore, hopes that in the selection of an assistant chaplain, the committee will endeavour to select a person who may be fully qualified for the duties heretofore performed by the chaplain."

I shall now proceed to give some account of the chaplain's reign in the Penitentiary. It will be seen at once that his mere appointment as head of the establishment sufficiently shows the influences that were in ascendant with the committee of the Penitentiary. Not that this body were alone and peculiar in their views. The general tone of public opinion at that time turned towards entrusting the ministers of religion with full powers to preach prisoners out of their evil courses into honesty and the right path. Far be it from me to detract from the efforts made in such a cause. The work of good and earnest men, who seek to benefit their fellows, can never be barren altogether of results. But it is greatly to be feared—and I take it that this conclusion is pretty generally accepted to-day—that it is nearly a waste of time, to endeavour to reform habitual criminals by purely moral and religious means. Those who

from long experience know the dangerous classes, well affirm that such conversion, by any means whatever, is quite out of the question. Mr. Elam Lynds, the well-known governor of Sing-Sing prison, told M. de Tocqueville that he did not believe in complete reform except in the case of young offenders. "In my opinion," he says, "nothing is more rare than to see a criminal of advanced age become a virtuous and religious man. I put no faith in the holiness of those who leave prison; and I do not believe that the chaplain's counsels, nor the prisoner's meditations will ever make of him a good Christian."* Not only are these methods purely inefficacious, but they tend often in the opposite direction. They are apt to be misconstrued. The objects of so much tender solicitude are apt to take the kindness that is well meant, for weakness, and wax in consequence insolent and unmanageable. Of the painful failure of all attempts at reformation by these means we have now abundant proof. For years the medicine has been tried; generation after generation has been subjected to its healing powers. Is crime eradicated or even sensibly diminished thereby? Vaccination reduced small-pox; sanitary precautions judiciously enforced will ere long combat successfully with epidemic diseases; but have prayer and preaching effected the cure, wholesale or partial, of the evils they were expected to touch? Not at all. The reformation attained, except in the rarest instances, has been but temporary in character, skin deep,—while below the thick layer of cant and hypocrisy which overspreads with rapid fungus-like growth the surface of the heart, there rankles still the

* MM. Beaumont and De Tocqueville's Report on the Penitentiaries of the United States.

cancerous sore in all its malignity. The fact is, that in seeking to reform the criminal we have acted much as the surgeon does who would try to straighten a withered limb —we have begun too late. The subject has been allowed first to reach a stage beyond the action of our healing process. To be efficacious, our treatment should have been applied when the limb was susceptible; in other words, if we would eliminate the dangerous classes, and stop recruiting for their ranks, we must act against them in the earlier stages: as children, that is to say, through school-boards or reformatories.

But the Millbank committee were sanguine still, in 1838, when Mr. Nihil came into power under them. We shall see now how far their agent, having *carte blanche* and every facility, prospered in this difficult mission.

His real earnestness of purpose, and the thoroughness of his convictions, are incontestable. Immediately on assuming the reins he applies himself with all the energy of his evidently vigorous mind to the task before him, seeking at once to imbue his subordinates with something of his own spirit, and proclaiming in plain terms, to both officers and prisoners, his conception of the proper character of the institution he was called upon to rule. He considers it "a penal establishment, constituted with a view to the real reformation of convicts through the instrumentality of moral and religious means;" and I find in the official records the following entry, wherein he intimates his views, and appeals to those under him for co-operation and support.*

"Having, in my capacity of chaplain, observed the

* Governor's Journal, 1st May, 1837.

injurious effects arising from a habit which appears prevalent among the inferior officers, of regarding our religious rules as empty forms, got up for the sole purpose of prison discipline, and conceiving it right to let them understand the principles on which I propose to administer the prison, I drew up, and have since circulated, the following intimation:—

"Having been appointed governor of this institution, I desire to express to the inferior officers my earnest and sincere hope that they will one and all bear in mind the objects of a penitentiary. The reformation of persons who have been engaged in criminal acts and habits is the most difficult work in the world. God alone, who rules the heart, can accomplish it; but God requires means to be used by man, and amongst the means used here, none are more important than the treatment of prisoners by the officers in charge of them. That treatment should always be regulated by religious principle. It should be mild, yet firm, just, impartial, and steady. In delivering orders to prisoners, care should be taken to avoid unnecessary offence and irritation, at the same time that those orders are marked by authority. Command of temper should be particularly cultivated. The rules require certain religious observance. It is of the greatest importance that the officers should always remember the reverence which belongs to sacred things, otherwise the prisoners will be apt to regard them not as religious services, but as matters of prison discipline. It should appear that officers have a concern in religion themselves, and love and venerate it for its own sake. I do not by any means wish them to put on an appearance of religion

which they do not feel—that would be hypocrisy, but I wish them, as members of a religious institution, to cultivate the feeling and demeanour of true Christians—not only for the sake of the prisoners under their charge, but for their own."

That the intention of this order was of the best no one who reads it can deny; but its provisions were fraught with mischievous consequences, as will soon appear. It struck at the root of all discipline. The prisoners were insubordinate and insolent, and needed peremptory measures to keep them in check; they were already only too much disposed to give themselves airs, and quite absurdly puffed up with an idea of their own importance. In all this they were now to be directly encouraged; for although the order in question was not made known to them in so many words, they were quick witted enough, as they always are, to detect the altered attitude of their masters. These masters were such, however, only in name; and one of them within a month complains rather bitterly that he is worse off than a prisoner. The latter, if charged with an offence need only deny it and it fell to the ground, while a prisoner might say what he liked against an officer and it could not be refuted. The governor did not at first see how injudicious it was to weaken the authority of his subordinates, and continued to inculcate mildness of demeanour. In a serious case of disturbance, where several prisoners were most turbulent and needed summary repression, he takes a very old warder to task for his unnecessary severity. One of these mutineers, whom they had been obliged to remove by force, cried, "You have almost killed me,"—though nothing of the kind had occurred. This officer

was injudicious enough to reply, "You deserve killing." Upon this Mr. Nihil, as I find it recorded, states, "I thought it necessary to reprove the warder for such language. If the prisoners are to be properly managed, it is by authority administered with firmness, and guided, not by passion, but by reason and principle." No one could wish to countenance anything like brutality or unnecessary harshness of demeanour; but when discipline is defied, and the peace and good order of the prison placed in jeopardy, there might surely be some excuse for this warder's words, and less so for such a severe reproof.

Later he issued the following order: "In consequence of what the governor has sometimes observed, he wishes to impress on the inferior officers the importance of coolness and command of temper in the management of prisoners. . . . Cases will, of course, arise when prisoners by their violence give much provocation. At such times it is particularly necessary that the officers should endeavour to maintain calmness and self-possession. The best way is to use as few words as possible, taking care at the same time to adopt the necessary means of securing a refractory prisoner; but to fall into a passion, or to enter into a war of words, only lowers the authority of the officer, and adds to the irritation it is intended to allay." Excellent advice, but not always easily followed. However much it is right to hold in check wrong-headed zeal, which is in danger of boiling over, the repression and the caution to the officials should be privately administered. No inkling of it should reach the prisoners themselves: for what weakens authority necessarily strengthens the hands of those in subjection. Strangely enough the governor did not himself

realize the force of this reasoning, though he inadvertently admits it. He had not been two months in office before he comments on the relaxation of discipline observable in the prison. "The prisoners have no notion of their own position, and look upon every act of an officer by which regularity is enforced as a crying grievance which they are called upon to resent." *

Indeed, the condition of these officers was hardly to be envied. They were mostly men of the camp, soldiers who had served their time in the army, and fitted neither by previous training nor the habits of their mind for the task required of them now. Mr. Nihil, to be fully served and seconded in his conscientious efforts to effect reformation, should have been provided with a staff of missionaries; though these were hardly to be got for the money, nor would they have been found of much assistance in carrying out the discipline of the prison. As it was, the warders had to choose between becoming hypocrites, or running the risk of daily charges of irreligious impropriety, and of losing their situations altogether. Placed thus from the first in a false position, there was some excuse for them in their shortcomings. Not strangely many went with the stream, and sought to obtain credit with their chief by professing piety whether they felt it or no, using scripture phrases, and parading in the pentagons and ward passages with Bibles carried ostentatiously under their arms, though it could be proved, and was, that many of the same men when safe beyond the walls were notorious for debauchery and looseness of life. It was in these days that a curious epithet came to distinguish all who were known as the

* Journal, January 31, 1838.

chaplain's men. They were called in the thieves *argot* "Pantilers," and the title sticks to them still. The "pantile," according to the slang dictionary, from which I must perforce quote, was the broad-brimmed hat worn by the puritans of old. From this strange origin is derived a word which, with the lower orders, is synonymous still with cant and a hypocritical profession of religion to serve base ends. Millbank was long known as the head-quarters of the "Pantilers."

On the other hand, officers in whom the old mammon was too strong to be stifled altogether, occasionally forgot themselves, and when accused or suspected of unorthodoxy or unbelief they naturally went to the wall. Thus it was not likely that one who was reported to be a confirmed infidel would escape instant dismissal; though in this instance the information was laid by a prisoner, and should at least have been received with caution. The substance of the complaint made by the prisoner was that the officer had asserted that the nature of man was sinful, but that the worst man that ever lived was no worse than God had made him, with other remarks of a carping and irreverent character. Mr. Nihil immediately sent for both officer and prisoner, and confronted them together, questioning the former as follows:—

"Mr. Mann, are you a member of the Church of England?"

"No, sir."

"To what church, then, do you belong?"

"I was brought up a baptist, sir; but I am not a member of any society at present."

"Are you a believer in the Scriptures?"

"I would rather not enter into that subject."

"Did you not represent yourself a member of the Church of England when first employed?"

"I did not. I was never asked the question."

He was then asked if he had ever tried to controvert the religion of the Penitentiary, but he distinctly denied having done so.

Then came the prisoner's turn.

"I assure you, sir," he told Mr. Nihil, "that this officer on one occasion remarked to me that St. Paul took up several chapters in telling women what sort of ribbons they wore in their bonnets." And on this evidence Mr. Mann lost his situation; for, says the governor, "I considered his answers evasive throughout; while the prisoner being an exceedingly well-conducted man, I have no doubt, from the tenour of the whole proceedings, that he spoke the truth." Hard measure this, and scarcely calculated to maintain the discipline of the establishment.

Still harder, perhaps, was the dismissal of another officer, who was found using what was characterized as a species of low slang in speaking of prisoners. "It came out very artlessly," says Mr. Nihil, "as he was telling me of some boyish irregularity of a prisoner, whom he styled a 'rascal.' This, coupled with other appearances, determined me that the man may have meant no great harm, but that he was quite unfit for the moral charge here entrusted to him; and I thought it necessary, not only in regard to this offence, but that others might take a lesson from it, to mark my sense of the unfitness of one in the habit of familiarly using such language for the situation of warder." When a fate so severe overtook these two

for the offences recorded, a third was not likely to escape who was proved to have occasionally sworn, and who admitted that he considered it was all humbug taking the prisoners to chapel. Although this culprit held the grade of taskmaster, and had completed a service of many years, he too was forthwith sent about his business. But then it was brought home to him that he had once been heard to say, "The governor thinks himself a sharp fellow—I think him the —— fool I ever knew." It also appeared that this officer's familiar language among other officers was very profane. He sometimes ridiculed religion; and at one time scoffed at the miracle of the sun standing still. On another he spoke of the chaplain's lectures as humbug. "My own impressions of T.," goes on the governor, "were that though he was an efficient officer, he was a conceited self-sufficient man, and of his moral principles I had no good opinion. Everything led to the conviction that he was a very dangerous character in an institution of this kind; his general bearing giving him influence over the inferior officers, and his principles and habits being such as to turn that influence to pernicious account." He was accordingly dismissed by the committee "with the strongest reprobation of his abominable hypocrisy."

Although thus studiously bent upon raising the moral tone of his officers, in many other respects, hardly of inferior importance, the utmost laxity prevailed. The rules by which the Penitentiary was governed, and by which all undue familiarity between officers and prisoners was strictly prohibited; which forbade certain luxuries, such as tobacco, ardent spirits, and the morning papers; and which insisted upon certain principles to insure the safe custody

of those confined—all these were often contravened or neglected. Upon no one point are gaolers bound to be more vigilant and circumspect than in the security of their keys. In all well-ordered prisons now the most stringent rules prevail on this head. To lose a key entails exemplary punishment, heavy fines, or immediate dismissal. Yet in these old Millbank days I find an officer coolly lending his keys to a prisoner to let himself in and out of his ward; and another who wakes up in the morning without them, asserts at once that they have been stolen from him in the night. In this latter case instant search was made, and after a long delay one key was found in the ventilator of a prisoner's cell, and below his window, outside, the remaining three. This man was of course accused of the theft; and a circumstantial story at once invented, of his escaping after school, repairing to the tower, and possessing himself of the keys. He would infallibly have suffered for the offence, had it not been accidentally discovered that the officer who had lost them was drunk and incapable on the night in question, and had himself dropped them from his pocket. There were again escapes twice over, which though ingeniously conceived and carried out could never have succeeded but for a want of watchfulness and supervision on the part of the officer. Of the improper intimacy there could be little doubt, when it was proved that officers and old prisoners were seen in company at public houses—the latter standing treat, and supplying bribes freely, to compass the conveyance to their friends, still inside, of the luxuries prohibited by the rules. All this came out one fine day, when it was discovered that, through the connivance of certain

dishonest warders, several prisoners had been regularly supplied with magazines and morning newspapers. Wine, spirits, and eatables more toothsome than the prison fare, and the much-loved weed, found their way into the prison by the same reprehensible means. It is but fair to add here, that in this and in every other case, as soon as the irregularities referred to were brought to light, they were invariably visited with the condemnation they deserved.

Even a man of shrewd intelligence like Mr. Nihil could not fail to be occasionally taken in. On one or two points he was especially vulnerable. Signs of repentance, real or feigned, won from him at once an earnest sympathy which not seldom proved to be cruelly misplaced. There was also a certain simplicity about him, and want of experience, that sometimes made him the dupe of his subordinates when they tried to curry favour by exaggerating the sufferings of the prisoners. One day when he was *en route* to the dark cells, intending to pardon a culprit therein confined, the taskmaster who accompanied him voluntarily observed, "You are quite right to release him, sir. His legs would get affected, I am afraid, if he were left there any time like all the rest."

"What do you mean by that?" asked the governor at once. "Explain."

"I mean, sir, that whenever a prisoner is kept any length of time in the dark, his loins are always affected. It may be seen in their walk. Take the case of Welsh. Welsh is quite crippled from being so much in the dark."

"Do they never recover it?"

"Never."

Mr. Nihil was naturally much struck with this observa-

tion, and gave it credence, "thinking the officer's opinion worth attention, as he is particularly shrewd and intelligent." But on consulting the medical man of the establishment, he found the statement quite without foundation. Nothing of the kind ever happened; there was nothing the matter with Welsh, and never had been. It was all pure nonsense.

Then there was the case of Stokes, a boy continually in mischief, an arrant young villain, who coolly tells the governor that it is no use sending him to the dark—the dark only makes him worse. "I reminded him that I had often tried kind and gentle methods with him in vain, and asked him what would make him better." Stokes replied that the only thing to cure him would be a good sound flogging—knowing full well that this it was not possible to inflict except for certain offences, all of which he studiously avoided. Three days later when liberated from the dark, to which he had been sent in default of corporal punishment, he tried a fresh tack with Mr. Nihil. "This boy," he observes, "sent for me, and spoke as from the very abyss of conscious depravity. He complains of the hardness and wickedness of his heart. He thinks there is something wrong about him. He cried much. I urged him to pray, but he said his heart was too full—too full of wickedness to pray. I have promised to visit him in his cell, when I shall endeavour to soften and raise the tone of his mind, and pray with him." Of course his new attitude is all hypocritical deceit. Almost the next day he breaks out in conduct more disorderly than ever, and after smashing his window, spends his time in shouting to the prisoners below. The governor, now alive to his real

character, declares "that the injury done to the discipline of the prison by the perpetual insubordination of this boy has become so serious, that I think he must be sent up to the committee as incorrigible." Again he wavers, and again he changes his mind. "John Stokes applied to me yesterday evening, and spoke so sensibly, with such an appearance of a sincere desire for reformation, that I must beg to suspend my recommendation for his removal to hulks. The result of such removal would probably be to consign him to the destroying influences of the worst companions." Stokes did not remain long in this way of thinking, and continued still to be a thorn in the governor's side for many a month to come.

But we have in this an instance of the extreme pains Mr. Nihil was at to do his duty conscientiously by all. And if he had sometimes to deal with designing hypocrites, he was not always wrong—at least, in cases like the following, the imposture, if any, was well concealed.

A woman comes forward of her own accord to confess that she had made a false charge against another prisoner.

"What led you to make the charge?" (She had accused the other of calling her names.)

"Spite."

"And what leads you now to confess?"

"I was so much impressed by the sermon I heard yesterday from the strange gentleman."

The governor admits that it was a most impressive discourse, well calculated to awaken the guilty conscience. "Being anxious," he says, "to foster every symptom of repentance, I did not punish this woman. She freely acknowledged she deserved to be punished, but I thought

it might tend to repress good feeling were I, under the circumstances, to act with rigour."

Another woman, named Alice Bradley, sent for the governor, and told him that she had put down her name for the sacrament, but that she could not feel happy till she had told him all the truth.

"I encouraged her to make the communication, whereupon, with a subdued voice and many tears, she said,—

"I was guilty of what I was sent here for."

"This girl had invariably," goes on Mr. Nihil, "with much appearance of a tender conscience, and a spirit wounded by injustice, protested her innocence. This perseverance in her protestations had now lasted six months, and it appeared that the girl had imposed a persuasion of her innocence on her nearest relations. I was much gratified with the contrition that was now developed under the system of this place, so consolatory amidst the numerous instances of a contrary description which we daily witness; and I endeavoured to trace the prisoner's impression to some distinct instrumentality, which might be improved to further usefulness. She could only attribute her recent feelings to prayer—doubtless the most genuine and satisfactory source from which a contrite disposition can be derived, far beyond sermons or conversation, or any extraneous stimulus."

Again, there was the case of George Cubitt, who had been extremely well-conducted since he came to the Penitentiary. "He looks ill, and much altered within a short time, and seems much distressed. He told me he had of late been affected with the most dreadfully wicked thoughts, that he had a strong temptation to sell himself to the

devil, and feared he had done so. That, on Friday week, when in bed, he was much oppressed with these thoughts, which he long resisted, but at last gave way, and made an oath to himself to sell himself. He got up immediately, and felt a chill all over him, as if his nature was quite changed. Ever since he has been subject to the most shocking thoughts and fears. He attributed the calamity to his having been alone, and seemed to dread the idea of returning to a cell by himself. I see no signs of pretence about this boy, and greatly pity him. His nerves have evidently been shaken by confinement. I prayed with him, and said what I could to dissipate his terrors, and bade him make the goodness of God his protection. I could wish that in a case of this kind the discipline of the prison admitted of a little labour in the garden; but I see great practical difficulties in making practical arrangements for the purpose."

Of course Mr. Nihil was in his element in dealing with a case of this kind; just as the following claimed at once the whole of his sympathy and attention.

A prisoner was seized suddenly with an attack of hydrophobia. The only cause known was that he had been badly bitten by a dog six or seven years before. "The poor patient was in a most distressing state, being a fine intelligent youth, and in an admirable spirit of Christian resignation. He observed to me repeatedly that he was a poor friendless boy, and that this was a wise and merciful providence, for if he lived to get his liberty he might get into trouble and come to a bad end. When I saw him next morning, most edifying was the whole tenour of his observations and his prayers. That night he grew to be

in a state of high excitement, continually imploring me and every one for tea, while unable to taste a drop out of a basin which he held in his hand. About midnight he took a turn—no longer expressed any bodily want, but, as from a mind stored with scriptural truths, poured out the most appropriate ideas and expressions, though in a raving and delirious manner. It was most gratifying to observe the just views he exhibited, and the expressions of his deep repentance and humility. But dreadful to our feelings was the succeeding phasis which his disorder assumed. He seemed to struggle with a deadly foe, beating about his arms, and striving with incessant violence, while he uttered the language of abhorrence towards his enemy. Then, after a while, he began to give utterance to the most senselessly obscene and filthy language and ideas, nor were we able to repress them; but with these were mixed pleasing expressions of a pious, confiding tendency. This mixed and incongruous exhibition continued till about 3 A.M., when he sunk into death."

Even if it could have been proved against Mr. Nihil that he was lacking in the resolute peremptoriness of persons bred to command, our chaplain-governor was, however, not wanting in many of the qualities of a good administrator. It must be recorded to his credit that he brought in many reforms, of which time has since proved the wisdom. There was for instance the change he instituted in the system of hearing and adjudicating upon charges of misconduct. It had been the custom for the governor to rush off post-haste to the scene of action, and then and there administer justice. Now, Mr. Nihil resolved to take "the reports" the same hour every morning, "thereby econo-

mizing time, and having the advantage of previous calm consideration. Besides," he says, "officers and prisoners are both much irritated when the offence is still fresh, and the frequent interruptions took the governor often away from other subjects which at the time had full possession of his mind." Again, after a daring and successful escape, he recommends that every prisoner at night should be obliged to put outside his cell gate all the tools, etc., with which he has been at work during the day. An obvious precaution, perhaps, which is the invariable rule now with all men, especially "prison breakers,"* but the necessity of it was not recognized till Mr. Nihil found it out. Although in his management of his officers he erred rather in being too anxious to obtain a standard of impossible morality, still he knew that more than mere admonition was needed to maintain order and obedience to the regulations. With this in view he instituted a system of fines, as the best method of insuring punctuality and exact discharge of duties. It is really a marvel how the Penitentiary had been governed for so long without it. Nor did his tenderness and solicitude for the spiritual welfare of the prisoners prevent his entering a sound protest against over-much pampering them in food. "I have frequent occasion to observe," he remarks in one part of his Journal "the extreme sauciness of prisoners with regard to their victuals. It appears from Mr. Chadwick's report, and the evidence that he collected, that the industrious labourers are the worst fed; the next best are the poor-house paupers; the next, convicts for petty thefts; the best are felons, with the exception of transports, who

* Men who have attempted to escape.

are still more abundantly supplied abroad. The idle and the profligate act upon the knowledge of these facts, and we have in the Penitentiary several of that description. Their fastidiousness and impertinence strangely illustrate the fact that our diet is much too high for the purposes of a prison."

Certainly the calls upon his time were many and various. Now for the first time, in consequence of the great complaints made against the county gaols, "arising chiefly from the want of separate cells," the Penitentiary became the receptacle for soldiers sentenced to imprisonment by court-martial. And with the introduction of this new element he brought about his ears a crowd of new questions and new difficulties—a different dietary scale, different labour, and a great accession of misconduct of a new description; above all, new officials to deal with, and plenty of punctilious red-tapism, to which, as a civilian, he was altogether unaccustomed. Then, through strong representations made to Government of the scandalous manner in which female transports were shipped off to the penal colonies, it was decided that most of those who came from a distance should be lodged in Millbank to await embarkation. All these women were the scum of the earth, and added greatly to the governor's trials. They came to the Penitentiary in a miserable state of rags and wretchedness, shoeless, shiftless, and filthy.* They were often accompanied by

* The mode in which the female convicts were brought to embark was very objectionable. They arrived from the country in small parties at irregular intervals, travelling by stage coach, smack, or hoy, under charge of a turnkey; arriving and coming alongside in a wherry, way-worn and ill, a bundle of insufficient clothing their only provision for the voyage, and accom-

their children of all ages, from infancy to fourteen or fifteen years; and in nearly every case the conduct of all was violent and outrageous beyond description. Knowing they had nothing to gain by a conformity to the rules of the establishment, and that by no possibility could they escape transportation, they gave vent to their evil passions and set all authority at defiance. In the next chapter but one, which I shall devote entirely to the female convicts, I shall be able to give more than one instance of the annoyance they occasioned to all, but especially to Mr. Nihil.

Another vexation, which pressed perhaps more sorely on him than any I have described, was the invasion of his territory by a Roman Catholic clergyman, appointed under a recent Act of Parliament to visit Roman Catholic prisoners. I do not suppose that Mr. Nihil was more intolerant than were others of his cloth in those days, when antagonism between churches ran unusually high, and there is much excuse for the remarks he makes on the subject. By the Act provision was made for the payment of the priest from the prison fund. This Mr. Nihil characterizes as tantamount to "establishment." He does not see the necessity for anything of the kind, especially as the scruples of all the Roman Catholic prisoners have hitherto been most punctiliously respected.

Then Mr. Nihil went on to raise a number of points, few

panied generally by destitute children. In one case the women arrived, not merely handcuffed, but with heavy irons on their legs, which had occasioned swelling, and even serious inflammation. Eleven came with iron hoops round their legs and arms, chained to each other. During their journey by coach, they were not allowed to get up or down unless the whole did so together. Some had children to carry, but they received no help or alleviation to their suffering.—*Memoir of Mrs. Fry.*

of which happily came to an issue: How was the priest to be appointed? by whom approved? When appointed, would not his office be co-ordinate with that of the resident chaplain? Where was the line to be drawn with respect to discipline? Would not friction and difficulty arise from the Roman Catholic prisoners placing themselves under the patronage of the Roman Catholic priest in opposition to the governing authority of the prison?

"If a Roman Catholic priest visits prisoners under the permission at present accorded, he sees them at the taskmaster's tower, to which they are brought. If he becomes a regular officer of the prison he will have free access to the wards and infirmaries; and every one conversant with our present system and the spirit of comparison excited by every little distinction, must see that the presence of a rival chaplain is likely to produce a controversial habit among the prisoners, than which few things would be more baneful. I anticipate nothing less than that many of them will be constantly changing their religion according as it suits their caprice to see one chaplain or the other, with the view to annoy the authorities. The visitors are aware how apt prisoners are to indulge their restlessness by applying to see those whom the rules entitle them to see, when there is really nothing wanting. The additional officer will enlarge this opportunity, and it is obvious how much it will be in the power of a Roman Catholic chaplain, under the circumstances, to foster a spirit of proselytism, in which, indeed, he will have a pecuniary interest—his appointment depending on number. The most popular chaplain in the prison —the man who will have most followers—will undoubtedly be the one who affords most encouragement to the prisoners,

and does most to paralyze the authority of the officer in charge of them."

Happily, as I have said, these anticipations proved almost groundless, and, except in one or two trivial instances, which are hardly worth recording, no evil results followed the occasional admission of the priest to the Penitentiary.

HOWARD ESCAPING.

CHAPTER X.

ESCAPES.

THE most positive annoyance of all the anxieties that weighed upon Governor Nihil in these days, was the deportment of a certain Pickard Smith, who seemed more than a match for all the authority of the place. His case is interesting as an example of the length to which a prisoner can go, even in times when better influences were, it was hoped, at work with all.

On the day of his arrival at the Penitentiary in the name

of Smith, it was discovered that he had been there before as Pickard, when he was known for notorious misconduct, though towards the end of his sentence "he had assumed the appearance of reformation." On his recommittal he was at first quiet and amenable to discipline, but he seemed to have conceived suddenly a desire to be sent abroad. From henceforth his conduct was detestable. At length he destroys everything in his cell: furniture, clothing, glass, books, including "Bishop Green's Discourses," and then he endeavours to brain the officer who comes to expostulate. "If I am to go to the dark, I may as well go for something," he says; and after he has been removed it was found that he had written the following lines on the back of his cell door:—

> "London is the place where I was bred and born,
> Newgate has been too often my situation,
> The Penitentiary has been too often my dwelling-place,
> And New South Wales is my expectation."

Not a very high poetical flight, to which the governor chaplain remained insensible, and had the poet forthwith flogged.

The magistrate came as before from the nearest police office, for the express purpose of passing sentence. Seventy-five lashes out of three hundred ordered were inflicted, greatly to the benefit of other unruly prisoners, all of whom were brought out to witness the punishment. "They appeared much subdued in spirit," says Mr. Nihil, and for some days afterwards the prison exhibited quite an altered character. But upon the culprit himself the sentence had no effect whatever. He spends his time from that day forth in whistling, idleness, and impertinence, sometimes in his

own cell, oftener in the dark. His insolence grows more and more insupportable; he tells the governor to hold his jaw, and his warder to go about his business. One fine morning it is found that he is gone. His cell is empty. He has disappeared.

"The mode of escape was most ingenious, daring, and masterly, though the prisoner is only eighteen years of age. There was a combination of sagacity, courage, and ready resource, indicating extraordinary powers, both mental and bodily."

He had got, unknown to his officer, an iron pin used for turning the handle of the ventilator of the stove. The stove not being in use the handle was not missed. The prisoner was let out of his cell by himself, being kept apart from other prisoners "in consequence of frequent insubordination and the mischievous tendency of his example." With this pin he had made a hole in the brick arch which formed the roof of his cell large enough to admit his body. The iron pin, stuck into one of the slits for ventilation in the wall, served as a hook, to which he had probably suspended a small ladder, ingeniously constructed of shreds of cotton and coarse thread (which was found in the roof); and with such assistance to his own activity and strength he had got through the ceiling and into the roof, along the interior of which he had proceeded some distance, till he was able at length to break a hole in the slates. But the battens to which the slates were fastened were too narrow to let him through, so he travelled on till he found others wider apart, and here, making a second hole, he contrived to get out on to the roof. The descent was his next difficulty, but he had provided for this by carry-

ing with him a number of suitable articles to assist him in his purpose. It must be mentioned that he had chosen his time well: not only were the officers later coming in on Sunday mornings, but on Saturday evenings the prisoners receive their clean clothes (their dirty ones were not returned till next morning), so that Smith had in his cell two sets of things—two shirts, two pairs of long stockings, and two handkerchiefs. He had washed his feet also on Saturday night, and had been given a round towel to dry them. Having torn his blankets and rugs into strips, he had sewn them together by lengths, making each, like the round towel, a link in a chain to which his neckerchiefs and pocket-handkerchiefs, similarly prepared, added further lengths. With all of these, and attired in his clean shirt, he had ascended as already described to the roof, where he must have found his chain too short, for he had added his shirt to the apparatus. This rope he fastened to one of the rafters of the roof, and then slung himself down to where he judged the attic window was to be found, and he judged accurately. The sill of the window formed the first stage, and to its bars he fastened part of his chain, thus economizing its length, instead of having one long rope from the roof downwards. Descending in like manner to the second window he repeated the process, and again to the third (or first floor), after which he reached the ground in safety. His next difficulty was to scale the boundary wall. Much work happened to be going on, rebuilding the parts destroyed by fire, and a quantity of masons' and carpenters' materials were lying about. First he contrived to remove a long and prodigiously heavy ladder from against the scaffolding, which two men ordinarily could not carry, and this he dragged to the iron

fence of the burial ground, against which he rested it, but he could not rear it the whole height of the boundary wall. Next he got two planks, and lashing them firmly together with a rope he picked up, he thus made an inclined plane long enough to allow of his walking up it to the top of the wall. Weighting one end with a heavy stone, he easily got the planking on to the wall and thus got over.

As soon as the escape was discovered immediate search was made in all adjoining lurking-places. Officers acquainted with Pickard's haunts were despatched to a far-off part of the town, information was lodged at Bow Street, and a reward of £50 offered by authority of the Secretary of State. He was eventually recaptured through the connivance of his relatives. Soon anonymous letters reached the governor, offering to give the fugitive up for the reward. A confidential officer was despatched to a concerted place of meeting, and by the assistance of the police—and his own friends—Pickard Smith was secured and brought back to the Penitentiary. Mr. Nihil was much exercised in spirit at his return. It appeared that he belonged to a family which had been all transported. He came to the Penitentiary himself as a boy, and grew up in it to manhood. Five months after his release he was again convicted, under a new name, and sent back to Millbank. "Had it been known that the benevolent system of the Penitentiary had been previously tried in vain upon him, he would not probably have been sent here a second time. It is plain that he was not a fit subject for it, and his previous experience within our walls, and probable acquaintance with their exterior localities, acquired during the interval of his freedom, rendered him a dangerous inmate. After his

flogging continued misconduct rendered it necessary to keep him apart from other prisoners—a circumstance which facilitated those operations by which he lately accomplished his escape. It is now highly dangerous to keep him in the same ward with other prisoners, our means of preventing intercourse being extremely inadequate. On the other hand, conversant as he is with the localities of the prison, aware of the aid to be derived from the materials strewed about in consequence of the extensive repairs after the late fire, and flushed with his former success, it becomes no less objectionable to place him apart where he may be less liable to any interruption in any attempt he may make. A man of his capabilities ought not to be kept in a prison with so low a boundary wall as ours. I do not fear his escape, watched as he now will be, but I fear his attempts." *

Nevertheless, though repeated efforts were made to get this prisoner removed to the hulks or to some other prison, the Secretary of State would not give his consent. He said it would be considered discreditable to the Penitentiary if prisoners were transferred on account of its inability to secure them. Why not chain him heavily? asks the Secretary of State. "Why not?" replies Mr. Nihil. "Because if he is prosecuted and receives an additional sentence of three years, we cannot keep him all his time in chains. The peculiarity of our system," goes on the governor, "hardly appears to be considered as an objection to his continuance here. The principle of the Penitentiary was that it was not merely a place of safe custody and punishment, but a place of reformation; and, therefore, if it failed of this latter object in any instance, a power was reserved of

* Journal, August 9th, 1837.

sending away the prisoner as incorrigible, for fear of his interfering with the progress of the system among other prisoners." Next day he was told he would have to remain three years extra in the Penitentiary, whereupon he promised, of his own accord, to abstain from making any further attempts at escape, provided he were allowed to go among the other prisoners. He was so much more tractable and so much improved in temper that his request was granted, and he was brought once more under ordinary discipline.

Having remained quiet for a month or more, just to lull suspicion, he is again discovered—and just in the nick of time—to be on the verge of a second evasion. The window of his cell is found to have the screws taken out, with other suspicious symptoms. Smith declared that the state of his window was the result of accident. He was removed to another cell, and Mr. Nihil himself proceeded to examine the one he had left. His hammock when unlashed revealed the state of his rug and blankets. They had been torn up into convenient strips for scaling purposes. When the prisoner was himself searched, between his stockings and the soles of his feet were pieces of flannel, and in one of them was a small piece of metal, ingeniously formed into a kind of picklock. A piece of iron, for this purpose no doubt, was missed from one side of the cell window. He was placed in the infirmary "strong room" for safety; then apart in F gallery by day, sleeping at night in a small cell below. But soon he destroyed everything in F gallery, and then he was handcuffed. "His next method of disturbance was to make a violent noise by beating with his handcuffs against the

door; upon which I ordered him to be removed to a dark cell, not for punishment, but to prevent disturbance." Presently a noise of loud hammering is heard in this same dark cell. The officers on duty rushed to the spot, and found that by some extraordinary contrivance Smith had possessed himself of one of the staples by which the iron work is made fast on the back of the door to the dark cell. By means of this instrument he had worked away an iron grating fixed for ventilation, and had been engaged making a hole in the wall by which he would have soon escaped. Smith was handcuffed and taken to another cell.

The governor is almost bewildered, and begs the committee to get rid of this prisoner. It would be inexpedient to place him among other prisoners, and yet that can hardly be avoided soon, owing to the influx of military and other prisoners. "As to corporal punishment, he has already experienced it very severely without any beneficial effect. His knowledge of the localities, and the present unsafe condition of the prison, owing to the extensive repairs, will breed perpetual attempts, however unsuccessful, to escape."

Soon afterwards Smith asked to be relieved from his handcuffs. "What's the good of keeping them on me? I can always get 'em off with an hour's work." He was told they would be fastened behind his back. "I can slip them in front; you know that."

"I threatened, then," says Mr. Nihil, "to fetter his arms as well as his hands, and that seemed to baffle him. To-day I held a long conversation with him, and cannot but lament that the powerful qualities he possesses should

have been so greatly perverted. He spoke with great candour of his former courses. He exhibited an affectation of religious impressions, though he acknowledged much the evil of his own character. By-and-by I asked him if he wished to have the handcuffs taken off. He did, much, because they made him feel so cold. 'Will you promise if I take them off not to attempt to escape?' 'I'll never make another promise as long as I am here. I have made one too many, and I am ashamed of myself for having broken it.' 'What am I to do with you? Where am I to send you?' 'It's no use sending me anywhere, sir. If you let me go among the other prisoners I am satisfied; from what I know of the place, there isn't a part from which I couldn't escape.'"

"Commiserating this unfortunate young man's condition, I subsequently ordered the handcuffs to be removed, but with a strict injunction frequently to examine his cell, particularly at night. While he is in the dark and closely watched I do not think the handcuffs indispensable." But Pickard Smith cannot remain for ever in the dark. Exercise in the open air becomes necessary, and the first time he is taken out is in a dense fog. Almost at once he eludes his officer's observation, and, slipping off his shoes, clambers up a low projecting wall that communicates with the boundary wall of the yard, mounts it, jumps over on the other side, and runs for the infirmary staircase where he hoped to hide. Fortunately the taskmaster, coming out of the tower, caught sight of his legs disappearing through the door, and running after him captured him on the stairs. The fellow was quite incorrigible. Again he goes to the dark, again and again is he released and

recommitted, till at length his health breaks down. If in the end he was tamed, it was of his own failure of strength, and not of the discipline of the place. I believe he died in the Penitentiary a year or two later, but I have been unable to find any authentic record of the fact.

I have lingered thus long over his story, which is at best but sad and disheartening, because it is a good illustration of the methods of coercion tried in those days in the Penitentiary, and more because it opens up the whole question of escapes from prison. Of course the convicted criminal shares with all other captives an ever-present unsatisfied longing to be free. Like a caged blackbird, or a rat in a trap, the felon who has lost his liberty will certainly escape whenever the opportunity is offered to him. To leave gates ajar, or to withdraw a customary guard, supply temptation as irresistible as a bone thrown to a hungry dog. And a prisoner's faculties are so sharp set by his confinement, that he sees chances which are invisible to his gaolers. A resolute and skilful man will brave all dangers, will exhibit untold patience and ingenuity, will endure pain and lengthened hardship, if he sees but a loophole for escape in the end. The fiction of Edmond Dantes and his famous escape from the Chateau d'If, is but the embroidery of a poetical imagination working upon a sober groundwork of fact. The records of all ancient prisons could contribute their quota of similar legends, showing how the fugitive triumphed over difficulties seemingly insurmountable. Baron Trenck's escape from Spandau, and Casanova's from the *Piombi*, are familiar to us as household words.

But in our modern days escapes are of rarer occurrence, and for many reasons. It is not that prisons are really

more secure *per se:* so far as construction can be depended upon, a gaol like Newgate seems as safe as stone and iron can make it: but it is that the principles of security are better realized and understood. Our forefathers trusted to physical means, and thought enough was done. To-day our reliance is placed on the moral aid of continuous supervision. An escapade like that of Pickard Smith would be next to impossible now. He would have been defeated with his own weapons. To compass his ends a prisoner must have privacy; hours of quiet undisturbed by the intrusive visit of a lynx-eyed official; and a cell all to himself. He has now the cell to himself—at least he has with him no companion felon—but he is for ever tended by an "old man of the mountain," in the shape of his warder, who is always with him—"turning him over," as the prison slang calls it; searching him, that is to say, several times a day, both his person and the cell he occupies. To conceal implements, to carry on works like the removal of bricks, of flooring, or of bars, is next to impossible, or feasible only through a lack of vigilance for which the official in fault would be called seriously to account. How nearly the methods of insuring safe custody have been reduced to a science may be seen any day now in our government prisons at places like Portland, Chatham, Portsmouth, and Dartmoor, where the convicts seem held, so to speak, only by a single thread. They work *en plein air*, in the open, miles beyond prison gates or boundary walls. The staff of officers in charge is less than ten per cent.; no ostensible means of coercion are used; the prisoners, except in the case of half-a-dozen of the most turbulent, wear no chains. The whole system depends on

the close observance of certain principles which have come to be regarded as axioms almost with the officials. No prisoner is allowed to be for one moment out of an officer's sight; that officer starts in the morning with a certain number of convicts in charge: he must bring in the same number on his return to the prison. Beyond the vigilant eye of these officers in charge of small parties ranges a wide cordon of warder-sentries, who are raised on high platforms and have an uninterrupted view around. A carefully prepared code of signals serves to give immediate notice of escape. A shrill note on the whistle, a single shot from a sentry's breechloader sounds the alarm—"A man gone!" Next second, the whistles re-echo, shot answers shot; the parties are assembled in the twinkling of an eye, and a force of spare officers hasten at once to the point from whence came the first note of distress. It is next to impossible for the fugitive to get away: if he runs for it he is chased; if he goes to ground they dig him out; if he takes to the water he is soon overhauled. The cases are few and far between of successful evasion. In every case the luck or the stratagem has been exceptional—as when at Chatham, a man was buried by his comrades brick by brick beneath a heap, and interment was completed before the man was missed; or when at Dartmoor, another broke into the chaplain's house, stole clothes, food, and a good horse, on which he rode triumphantly away.*

* The most amusing attempt was made at Millbank, by a convict, with the connivance of one of the maid-servants of a superior officer. Her master held also a place at Court, and wore at *levées* a handsome uniform of red and gold. The plot was to steal these clothes. Of course, thus arrayed, the convict could pass the gates without question; but I fancy that, once beyond them, his road would have led Whitechapel way rather than to Buckingham Palace.

At Millbank from first to last the escapes, successful and unsuccessful, have been many and various. Pickard Smith's was not the first nor the last. The earliest on record occurred in April, 1831. One night about 10 P.M. it was reported to the governor that the rooms of three of the officers had been entered and a quantity of wearing apparel abstracted therefrom. Almost at the same moment the sergeant patrol came in from the garden to say that the patrol on duty in going his rounds had discovered two men in the act of getting over the garden wall by means of a white rope, made of a cut of cross-over.* Both men were on the rope, and when it was shaken by the patrol they fell off and back into the garden; but they attacked the officer, knocked him down, and then ran off in an opposite direction. The patrol, as soon as he could recover himself, gave the alarm, and presently the governor, chaplain, surgeon, steward, and a number of other officers arrived on the spot. They separated in parties to make search, while the governor took possession of the cross-over cut, which was fastened to the top of the wall by means of a large iron rake twisted into a hook. This rake was used in the ward for bringing out large cinders from the long stove. It was thought at first that, in the patrol's absence to give the alarm, the fugitives must have got over the wall; but the search was continued in the dark, in and out of the tongues between the pentagons, and through all the gardens. Just by the external tower of Pentagon 4, the governor and chaplain, who were together, came upon two men crouching in close under the wall. These were two prisoners, named Alexander Wallie, the wardsman, and

* A piece of long yarn issued to be worked up in the looms.

Robert Thompson, the instructor of C Ward, Pentagon 5. Thompson said at once, "You are gentlemen; we will surrender to you. We will make no resistance." But the governor being immediately joined by the other officers, it was as much as he could do to protect the prisoners from attack and assault, as the former were greatly excited. One of the prisoners was dressed in a fustian frock and trowsers belonging to Warder Hay; the other had no coat, but a waistcoat and trowsers belonging to some other officer.

At the top of the tower in C Ward, Pentagon 5, out of one of the loopholes near the water cistern, another cut of cross-over had been found hanging, by which the prisoners had evidently descended. On going up to the place there were found close by, a large hammer, a chisel, and a screw-driver, articles used in repairing the looms, and the large poker belonging to the airing stoves. Several bricks had been removed from one side of the loophole, leaving a space wide enough for one person to get through. To the iron bar in the centre of the loophole one end of the cross-over was made fast; the other reached the ground. The prisoners' prison clothing was close by this cistern, and in Wallie's pocket was a skeleton key made of pewter, which opened many of the officers' bed-room doors. The prisoners confessed they had let themselves out of their cells by means of false keys made of pewter, and four of these were found near the place where the prisoners had been caught crouching down. The keys were partially buried into the ground. There were two check-gate keys, one cell key, and a skeleton key made of pewter.

Attempts at escape were not unknown in the interval

between this and the time when Pickard Smith bewildered Mr. Nihil. But they were abortive and hardly worth recounting. It was not till years after the Reverend Governor had resigned his command that serious efforts at evasion became really frequent and successful. This was when Millbank had become changed in constitution, and from a Penitentiary had been made a depot for all convicts awaiting transportation beyond the seas. I shall have occasion to refer to this change in the next volume, but will so far anticipate as to include some of the escapes that happened then in the present chapter. The prison was filled to overflowing with desperate characters; every hole and corner was crammed; there had been no commensurate increase of official staff, and therefore those indispensable precautions by which only escapes could be prevented were greatly neglected. Weak points are soon detected by the watchful prisoner, and in these days every loophole of escape was quickly explored and turned to account. That some of these convicts were resolute in their determination to get free may be believed when it is stated that one, *en route* from Liverpool to Millbank, offered his escort a bribe of £600 to allow him to escape. There was no doubt that accomplices were close at hand ready to assist him, but happily the virtuous officers resisted temptation.

One of the first attempts of those days was made by a man named Cummings, who broke through the ceiling of his cell. He traversed the roof of his pentagon, but could get no further. Then he commenced to sing and to shout, and by this he was discovered. A ladder having been placed for him to descend by he was secured. The prisoner himself

stated that he got through the arch by means of a hole he made with a nail he had picked up in the ward. The man was evidently cowed when he found himself on the top of the Penitentiary, and declared while they were trying to secure him that he would throw himself down. He had made no provision for his own descent; his rug, blanket, towels, etc., were found in his cell all untorn. He had, however, traversed the roof along one side of the pentagon.

Soon afterwards seven prisoners made their escape in a body from the prison. They were lodged in a large room—now the officers' mess—the windows of which were without bars; and they were able therefore to climb through them on to the roof. They took their blankets with them, and making a ladder, descended by it. The policeman on duty outside roused the lodge-keeper, to say he had seen a man scale the boundary wall between 1 and 2 A.M. A heavy ladder had been reared against the wall. All officers were roused out and stationed round the prison; while close search was made in the numerous gardens, stone-yards, etc., about. At half-past four, two officers came back with four prisoners in a cab. They had been tracked almost from the walls of the prison and captured at Chiswick. The other three were caught at Watford by a recruiting-sergeant and an inspector of the Hertfordshire police. They were on their way to Two Waters.

Next day a conspiracy was detected among the prisoners who brought in coke from the garden to escape while so employed. Almost immediately afterwards four other prisoners were caught in the very act of escaping through the top of the cell they occupied. They had broken away the lath and plaster ceiling of the cell, removed the slate

slab above it, and had taken off the roof slate to a sufficient extent to allow of easy egress; their sheets had been torn up and were knotted together, and everything was ready for their descent.

The next attempt, within a week or two, was made by a prisoner who found that the mouth of the foul air shaft, to which his cell was adjacent, was not protected by bars; accordingly he broke through the wall of his cell, and having thus gained access to the shaft, would have gained the roof easily had his artifice not been discovered just in time. Two others picked the lock leading to the garden, meaning to escape in the evening; and just then by chance it fell out that the prisoner bookbinders had been long maturing a plan of escape. They had made a large aperture in the floor of their cell, which hole had been concealed by pasteboard. The whole of the party (three in number) were privy to the plot, and each descended in turn to the vault below the cell, which was on the ground floor, to work at the external wall of the prison. This, when their plot was discovered, they had cut three parts through. They had also prepared three suits of clothing from their towels, and had hidden these disguises beneath some rubbish in the vault, where were also discovered a mason's hammer, the blade of a shears, and a cold chisel. A rope ladder had also been made for scaling the boundary wall, but it had been subsequently cut up as useless. The intending fugitives thought of making a better ladder from broom handles, to be supplied by a brush-maker in an adjoining cell, who was also in the plot. They had worked at night by candlelight. In this case it is not too much to say that the officials in charge of these prisoners were really much

to blame. Had they exercised only ordinary vigilance the scheme could not have remained so long undiscovered. By the prisoners' own confession the hole had been in existence for more than three months, and therefore the cell could never have been searched.

But the most marvellous escape from Millbank was effected in the winter of 1847, by a prisoner named Howard, better known as Punch Howard. He had been equally successful before both at Newgate and Horsemonger Lane Gaol; but the ingenuity and determination he displayed in this last affair was quite beyond everything previously accomplished.

He was sentenced to transportation, and had only been received a few days when he was removed to a cell at the top of the infirmary, part of the room called now-a-days E Ward. The window in this cell is long and narrow, running parallel to the floor but at some length from it. The extreme length is about three feet, the width but six inches and a half. This may be measured at any time, and was by me before I wrote the last sentence. It was closed by a window that revolved on a central bar forming an axle. This bar was riveted into the stone at each end of the window.

In those days the prisoners used regular steel knives, which were given in for meal times, and then immediately removed. Howard at dinner-time converted his knife into a rough saw, by hammering the edge of the blade on the corner of his iron bedstead, and with this sawed through one rivet, leaving the window *in statu quo*. The whole thing was effected within the dinner hour: saw made, bar cut, and knife returned. No examination of the knife could have been made, and so far luck favoured the

prisoner. As soon as the warders went off duty, and the pentagon was left to one single officer as patrol, Howard set to work. Hoisting himself again to the window, by hanging his blanket on a hammock hook in the wall just beneath, he removed the window bodily — one rivet having been sawn through, the other soon gave way. The way of egress, such as it was, was now open—a narrow slit three feet by six inches and a half. Howard was a stoutly built man, with by no means a small head, yet he managed to get this head through the opening. Having accomplished this, no doubt after tremendous pressure and much pain to himself, he turned so as to lie on his back, and worked his shoulders and arms out. He had previously put the window with its central iron bar half in half out of the orifice, meaning to use it as a platform to stand on, the weight of his body pressing down one end while the other caught against the roof of the opening, and so gave him a firm foothold. He had also torn up his blankets and sheets in strips, and tied them together, so as to form a long rope, one end of which was fastened to his legs. He was now half way out of the window, lying in a horizontal position, with his arms free, his body nipped about the centre by the narrow opening, his legs still inside his cell. It was not difficult for him now to draw out the rest of his body, and as soon as he had length enough he threw himself up and caught the coping-stone of the roof above. All this took place on the top storey, at a height of some thirty-five feet from the ground. He was now outside the wall, and standing on the outer end of the window bar. To draw out the whole lengths of blanket and sheeting rope, throw them on to

the roof, and clamber after, were his next exploits. His next job was to descend into the garden below, which encircles the whole of the buildings, and is itself surrounded by a low boundary wall. This garden was patrolled by six sentries, who divided the whole distance between them. He could see them as he stood on the roof between Pentagons 3 and 4. He took the descent by degrees, lowering himself from the roof to a third floor window, and from third floor to second, from second to first, and from first to the ground itself. The back of the nearest patrol just then was turned, and Howard's descent to *terra firma* was unobserved. Next moment he was seen standing in his white shirt, but otherwise naked, in among the tombstones of the Penitentiary graveyard, which is just at this point. Concluding he was a ghost, the sentry, as he afterwards admitted, turned tail and ran, leaving the coast quite clear. Howard was not slow to profit by the chance. Some planks lay close by, one of which he raised against the boundary wall, and walked up the incline thus formed. Next moment he dropped down on the far side and was free. His friends lived close by the prison in Pye Street, Westminster, and within a minute or two he was in his mother's house, got food and clothing, and again made off for the country.

Naturally the excitement in the prison on the following morning was intense. Howard was gone, and he could be tracked by his means of exit from his cell to the roof, down the outer wall, across the garden, and over the boundary wall. Here the trail stopped; and though his home in Pye Street was immediately searched, no one would confess to having seen him. It was felt that recapture was

almost hopeless. It occurred, however, to Denis Power,* the warder of Howard's ward, that this man had come to prison with a "pal," a certain Jerry Simcox, who had been convicted at the same time and for the same offence. Mr. Power thereupon visited Simcox in his cell.

"So Punch has gone, sir?"

"How did you know that?"

"Why, sir, you couldn't keep him. We was in Newgate together, him and me, and in Horsemonger too; but we got out of both. There ain't no jail 'll hold Punch Howard."

"Oh, you got out together, did you?" said the officer, growing interested.

"Yes, and could again out of any 'stir' in the three kingdoms, and they could not take us either. We got to too safe a crib for that."

"Yes?" Power spoke unconcernedly. If he had appeared too anxious Simcox would have shut up.

"Punch has got an uncle down Uxbridge way—works at some brick fields at West Drayton. Six or eight hundred of them—Mr. Hearn's lot, they is. That's where we went, and the police daren't follow us there. They don't allow no 'coppers' on the premises thereabouts, Mr. Power. That's the place to hide."

"No doubt," thinks Mr. Power; "and Howard's gone there now."

Within an hour he had obtained the governor's permission to go in pursuit, with a brace of pistols in his pocket, and unlimited credit.

At the inn of West Drayton he bought from the ostler a suit of navvy's clothes, and went thus disguised with a

* At this moment (1875) Mr. Power is the chief warder of Millbank.

spade over his shoulder towards the brickworks. The field was full and busy. There was an alehouse close by, but, as it was early morning, no one about but a sort of serving wench, a middle-aged woman, one-eyed, and bearing on her face the marks of a life of dissipation and rough usage.

"Morrow, mistress. Any work going?"

"Ah! work enough," replied the woman, fixing him with her one eye, which was as good as four or five in any other head. "But you don't want no work."

"No?"

"No; I know you. You're not what you seem. That spade and them duds ain't no sort of good. You're after work, but not that sort of work."

Doubtful whether she meant to help or thwart him, Power could only trust himself to order a pot of ale.

"Have a drain, missus."

"And I'll help you too—no, not with the ale, but to cop young Punch."

"Punch?"

"Aye—Punch Howard. That's the work you're after; and you shall get it too, or my name's not Martha Jonas. This three-and-twenty years I've lived with his uncle, Dan Cockett, man and wife, though no parson blessed us. Three-and-twenty I slaved and bore with the mean white-faced hound, and now he leaves me for a younger woman, and I am brought to this. Help you!—by the great powers, I'd put a knife in Dan Cockett too."

"And how am I to take him?"

"Not by daylight. Bless you, if you went into that field they'd never let you out alive. Why, no bobby durst go there, nor yet a dozen together."

"Is Punch Howard in the field with them?"

"There; look yonder. D'ye see that lad in the striped shirt and blue belcher tie, blue and big white spots? Can't you tell him a mile off?"

Sure enough it was Punch Howard, standing by a brick "table," at which a number of others were at work, smoothing and finishing the bricks, or coming and going with the bearing-off barrows.

"Come to-night, master. They sleep mostly out there, on top of the brick stacks—and heavy sleep, for the beer in this house isn't water. Come with a bobby or two, and look them all over. Punch'll be among them, and you'll be able to steal him away before the rest awake."

So Power went back to the village, interviewed the superintendent of police, kept quiet during the rest of the day, and that night came in force to draw his covert. Stealthily they searched it from end to end. Among all the villainous faces into which they peered there was not one that bore the least resemblance to Punch Howard. Had the woman played him false? Power could hardly make up his mind to distrust her, so earnest and embittered had been her language against Dan Cockett. No doubt another night he would have more success. Meanwhile time pressed, and he resolved to try a plan of his own.

"Have you a good horse and four-wheeled shay?" he asked of his landlord next morning.

"The best in all England."

"Every man's goose is a swan," thought Power. "Let's see the nag."

He was a good one, and no mistake; but an out-and-out good one was wanted for the job in hand.

At one end of the brick field—a spacious place covering 200 or 300 acres—was an office for the time-keeper and foreman of the works. He was an old police sergeant, long pensioned off, but who had his wits about him still. The office was approached by a narrow lane, with room for one set of wheels only, a quarter of a mile in length, and branching off from the high road to Uxbridge. Up this lane, half hidden by the hedge, Mr. Power drove to the foreman's shed. The ex-sergeant was alone, and readily fell in with the plan proposed. "Here!" he cried to a young fellow who went his errands and assisted in the office; "run up to the field and ask Dan Cockett if he wants a job for that idle young nephew. I see he's back in these parts. I need a lad to screen coal dust, and I'll give him twelve shillings a week. Look sharp!"

The messenger went off without.

"A job for my nephew?" said old Dan. "Ay—heartily thank you too, master. You're a gentleman. Hi! Punch, you're in luck. They say they'll take you on. Twelve shillings a week. Run along with the master: they want to 'book you' at the office."

So unsuspecting Punch accompanied the other back to where Power was waiting for his prey. It should be mentioned here that this warder was an extremely powerful man—tall, with tremendous shoulders, and just then in the prime of life.

He stepped forward at once.

"What, Punch! What are you doing in these parts?"

"I'll swear I never saw you in all——" He never finished those words. His captor was on him and had him fast. In less time than it takes to describe, the handcuffs were

locked upon his wrists, and, taking him up in his arms, Power fairly lifted him off the ground and carried him into the chaise. Without loosing his hold he took his seat too, gave reins to the horse, and started off at a hand gallop down the lane. He had the reins in one hand, the other arm tightly bound round Howard's neck, and the hand used as far as it was possible as a gag. But though it was possible to hold this captive tight, it was not so easy to keep him silent. Before they had gone a dozen yards Howard had managed to send off more than one yell of distress, as a signal to his friends in the field. The sight of the galloping horse, the burly figure of the driver, and the lad crouching in close by its side—all three betrayed the plot. Almost simultaneously several hundreds of men dropped work and gave chase—some down the lane, others trying to head the trap at the junction with the high road. Power had his hands full: in one, a struggling criminal, desperate, ready to fling himself out of the chaise at any risk; in the other a bunch of reins and a whip. However, he had the start, and the heels of his pursuers. Once only was his escape in doubt: on reaching the road, the horse tried to turn sharp to the left, back to his stable at West Drayton, instead of to the right to Uxbridge. With a jerk that almost upset the trap, Power turned the horse in the right direction, and half an hour afterwards had left his pursuers miles behind, and was safe at the police station.

Within forty eight hours of his escape Punch Howard was back in a Millbank cell, and Mr. Power was handsomely rewarded for the pluck and energy he had displayed.

A similar feat to Punch Howard's was accomplished by

a man named Jack Robinson, at Dartmoor. This man had long pretended to be weak-minded, and had thus put his keepers off their guard. He was in the habit of exercising himself shoeless and bare-headed, and wearing an old hat without a brim. In his bosom he carried generally a few tame rats, which issued forth now and then to walk over his arms and shoulders, and to lick his hands and face. A frequent joke with Robinson was to tell the chaplain that he had put his feet too far through his trousers—which caused infinite amusement always to his convict audience. Jack, however, was fond of foretelling that he meant to make April fools of every one—and so in effect he did. One morning he was flown, and with him two companions. He had cut through the bars of his cell by some artful contrivance; but what, remains a mystery to this day. Some think he used a watch-spring, others some chemical process. He was not re-captured, but later was re-convicted for stealing a railway rug.

No account of escapes from prison would be complete without some reference to George Hackett, who got out from Pentonville in a manner nearly marvellous. Through some neglect he had been allowed to take his sheets and bedrope into chapel with him. In those days the chapel was divided into a number of small compartments, one for each prisoner. Hackett worked unobserved in his, till he had forced up the flooring, and so gained the gallery; whence, by breaking a zinc ventilator, he climbed through a window on to the parapet leading to the governor's house. This he entered, and stealing some good clothes, changed, and so got clean away. Soon afterwards he wrote the following letter to the governor of Pentonville:—

"George Hackett presents his compliments to the Governor of the Model Prison, and begs to apprize him of his happy escape from the gaol. He is in excellent spirits, and assures the governor it would be useless to pursue him. He is quite safe, and intends in a few days to proceed to the continent to recruit his health."

Hackett was a very desperate man. He had already escaped from a police cell at Marlborough Street, when confined on a charge of burglary. The cell was secured by two bolts and a patent Chubb lock. After his escape from Pentonville he remained at large till the following Derby day. He was then recognised going "down the road," by a police officer, who proceeded to arrest him, but met with violent resistance. Hackett knocked down the policeman with a life preserver and made off, but was intercepted by a labouring man, who, though badly mauled, succeeded in capturing him. Hackett on all the charges was sentenced to fifteen years transportation.*

The last escape from Millbank was in 1860, when three prisoners escaped, one Sunday, by working a hole in the floor. They were located on the ground floor, and having removed the ventilating plate which communicated with a shaft, got thus down into a cellar and so to a party wall with iron gratings. These removed, they issued out into the garden, where, as it was summer time, the thick vegetation concealed them. By-and-by a gentleman passing gave the alarm at the gate that he had seen two men climbing over the boundary wall. Some officers immediately gave chase, but the fugitives took a hansom

* Annual Register.

and drove off. Their pursuers followed in another cab, and presently ran down their men somewhere near St. Luke's. The third prisoner was caught in among the bushes of the garden, which he had never left.

In this case the officers of the ward were very seriously to blame. They were indeed suspected of collusion, and without that it is difficult to understand how the prisoners could have effected their purpose. They must have been long engaged in preparing to make good their exit, and in the cellar were found great quantities of weapons, tools, cards, and so forth.

FEMALE PRISONERS AT EXERCISE.

CHAPTER XI.

THE WOMEN.

It is a well established fact in prison logistics that the women are far worse than the men. When given to misconduct they are far more persistent in their evil ways, more outrageously violent, less amenable to reason or reproof. For this there is more than one explanation. No doubt when a woman is really bad, when all the safeguards natural and artificial with which they have been protected are removed, further deterioration is sure to be rapid when

it once begins. Again, the means of coercion in the case of female prisoners are necessarily limited. While a prompt exhibition of force cannot fail sooner or later to bring an offending male convict to his senses, a woman continues her misconduct unchecked, because such methods cannot be put in practice against her. Although in some cases the men have made a temporary successful fight against discipline, in the long run they have been compelled to succumb. On the other hand there are instances known of women who have maintained for months, nay years, an unbroken warfare with authority, and who have won the day in the end. Never beaten, they continued till the day of their release to set every one at defiance. That obstinacy which has passed into a proverb against the sex, supported them throughout of course; this, and a species of hysterical mania, the natural outcome of their highly strung nervous system.

A curious example of their strength of physical endurance, and their almost indefatigable persistence in wrongdoing deserves to be mentioned here, though it occurred some years later on. A strange fancy all at once seized a number of women occupying adjoining cells to drum on their doors with the soles of their feet. There is no evidence to show when or how this desire first showed itself; but in less than a week it had become general almost throughout the female prison. To accomplish her purpose the woman lay full length on her cell floor, just the right distance from the door, and began. She was immediately answered from the next cell, whence the infection spread rapidly to the next, and so on till the whole place was in an uproar. These cell doors being badly hung, were a little

loose; they rattled, therefore, and shook, till the whole noise became quite deafening and incredible. Some women were able to keep up the game for hours together, day after day; in several cases it was proved that they had drummed in this way for several weeks. They soon worked themselves into a state of uncontrollable excitement, amounting almost to hysteria. Many after a time became quite prostrate and ill, and had to be taken to the infirmary for treatment. The physical exertion required in the operation was so great that women so employed for barely an hour were found literally soaked in perspiration from head to foot, and lying, without exaggeration, in pools of moisture. In numbers the kicking superinduced diseases of the feet, the whole skin of the sole having been worn away; for it is almost needless to observe that very early in the affray shoes and stockings were altogether destroyed, and it came to be a question of bare feet. Several methods were tried to put an end to this unpleasant practice—strait waistcoats, dietary punishments, and so forth—but all without avail. In that particular instance the disturbances continued till the women had fairly worn themselves out.

Since then later outbreaks of a similar character were met and subdued in a different fashion. The introduction of "ankle straps," which confine the feet as handcuffs do the wrist, was found a highly efficacious treatment—this, and the invention of the "dumb cell." From the latter no sound can possibly proceed: however loud and boisterous the outcry within, outside not a whisper is heard. When women feel that they are shouting and wasting their breath all to no purpose, they throw up the sponge. But

even more has since then been accomplished by purely moral methods than by these physical restraints. It has been found that the simplest way to tame women thus bent upon misconduct is to take no notice of them at all. When a woman discovers that she ceases to attract attention by her violence, she alters her line of conduct, and seeks to attain her ends by other and more agreeable means. The most potent temptation with them is the desire to "show off" before their companions. A curious sort of vanity urges them on. It is all bravado. Hence we find that when these tremendous "breakings out," as they are termed in prison parlance, occur, they originate almost entirely among the women who are "associated," in other words, who are free to come and go and communicate with one another. Separate them, keep them as much as possible apart and alone, and you remove at once the strong temptation to gain an unenviable notoriety at the expense of the discipline of the establishment. This is proved by the experience of late years. Thus at Millbank in 1874 there were only three instances of this sort of misconduct, and in the previous year only four.

But to return to Mr. Nihil. It appears that during his reign the condition of the female pentagon was always unsatisfactory. We find in his Journal constant reference to the want of discipline among the female prisoners. Thus: "The behaviour of the female pentagon is frightfully disorderly, calling for vigorous and exemplary punishment. Women contract the most intimate friendship with each other, or the most deadly hatred." The bickering, bad feeling, and disputes are increasing. After inquiring into one case, the governor observes, "Before the afternoon was

over the combatants had the whole pentagon in an uproar. One smashed her windows to bits, and so did the other. They had to be taken to the dark; but Walters produced a knife, and would have wounded the matron." Again, "I had to reprove strongly the taskmistress and warders for the laxity of discipline prevalent therein." Later on, when the rules of greater seclusion came into force, he again remarks, "On the female side there is great laxity, no discipline, no attempt to enforce non-intercourse. Instead of a rule by which each individual would be thrown on her own reflections, and secluded altogether, the female pentagon is in fact a criminal nunnery, where the sisterhood are linked together by a chain of sympathies and by familiar and frequent communications. . . . Although, to the ladies who visit them, the females repeat Scripture and speak piously, the communications which many of them carry on with each other are congenial with their former vicious habits, their minds being thus kept in a state at once the most depraved and hypocritical."

These "ladies" to whom the governor refers were members of the celebrated "Ladies' Association," headed by Mrs. Fry, whose long ministrations among female convicts have gained them a world-wide reputation. Having done undoubtedly excellent work where crying evils called for reform, they were eager for fresh fields of labour. In 1836 they had applied through the Home Secretary for admission to the Penitentiary, which after some demur they obtained. The committee urged that "although they felt the sincerest respect for the benevolent motives of Mrs. Fry and her associates, they are bound, in justice to the Penitentiary, to observe that the admission of ladies as visitors

into a prison like Newgate furnishes no legitimate reason for admitting them on similar terms into the Penitentiary, where the system in operation is exempt from those evils which the ladies have been so laudably employed in correcting at Newgate." Upon this Lord John Russell remarks that he thinks it is manifest that an impression may be made by the ladies which the best instructions of the chaplain might not effect; and he is disposed to recommend that "the chaplain should confer with those ladies, and that he should endeavour to arrange with them certain periods at which they should be allowed to communicate with the female prisoners, but that it should be clearly understood by them that his report would be sufficient to deprive them of admission."

Accordingly they came and tried their best. It would be hardly fair to deny them all credit, or to assert that, because the women continued ill-conditioned throughout, the counsels and admonitions of these ladies had altogether failed of effect. It is obvious, however, from Mr. Nihil's remarks, that their services tended to produce hypocrisy rather than real repentance. The fact was there was a marked distinction between the work they had done at Newgate and that to which they put their hands in the Penitentiary. In this latter place the women were really sedulously cared for; they had an abundance of good food, clean cells, comfortable beds; they bathed regularly; they had employment, books, and the unceasing ministrations of a zealous chaplain. Newgate, on the other hand, when first visited by Mrs. Fry, was a perfect sink of abomination, rivalling quite the worst pictures painted by Howard. The women's side went by the name of "Hell above

ground." Here, in four rooms, containing altogether some 190 superficial yards, were crowded 300 females of every category—tried, untried; felons, misdemeanants—with their numerous children. Many of these women were half naked, the rest in rags. They had no beds, and upon this floor whereon they slept they washed also, and cooked their food. On all sides the ear was assailed by awful imprecations, begging, swearing, singing, fighting, dancing, dressing up in men's clothes. "The scenes are too bad to be described," says Mrs. Fry in her evidence before the House of Commons. All visitors were clamorously attacked for alms, the wretched prisoners struggling wildly to get foremost and nearer the bars that parted them from the public, or stretching forth their wooden spoons, tied to the end of long staves, to collect the money. So great was the lawlessness that invariably prevailed that the governor of Newgate accompanied Mrs. Fry with reluctance, and by his advice the visitors left their watches and valuables behind in his house. "On that first occasion the sorrowful and neglected condition of these depraved women and their miserable children," says her biographer, "dwelling in such a vortex of corruption, deeply sank into her heart."

All that Mrs. Fry and her companions accomplished is a matter of history now. The object they had in view was "to provide for the clothing, instruction, and employment of the women; to introduce them to a knowledge of the Holy Scriptures; and to form in them as much as possible those habits of order, sobriety, and industry, which may render them docile and peaceable in prison, and respectable when they leave it." All this, and more, these ladies to their infinite credit performed, and in an incredibly short

period of time. It was no slight feat to replace within a few months drunkenness, ferocity, and abandoned licentiousness by sober decency of demeanour; loud ribaldry and oaths by silence or edifying talk; squalor and seminudity by cleanliness and sufficiency in attire; to convert a den of wild beasts, where only filth, disgusting odours, and all abominations reigned, into a happy home of quiet and decorum. These were the changes they actually effected. And yet, valuable and remarkable as were these results, it must be confessed that they owed to contrast not a little of their importance. Compared with the first foul blackness, the new order of things seemed whiter than snow. It was because this Newgate gaol and its wretched inmates were fallen to the very depths of degradation, that the improvement worked in their condition appeared so tremendous and surprising. But it is easier to turn the positively bad into something comparatively better, than to make the latter superlatively and permanently good. Without presuming to detract from the efforts and success of the "Ladies' Association," there is too much reason to suppose that the results they obtained were evanescent and temporary. The reformation of Newgate was what in modern language would be styled a "revival," and the known tendency of such movements is to collapse when the first fire of frenzied enthusiasm is exhausted. We have, unfortunately, evidence that among the female convicts who were brought to bless the name of Mrs. Fry, many again fell away; partly, doubtless, from the shocking mismanagement of affairs at the antipodes,* whither most of them proceeded, and in a measure also because their conversion

* See vol. ii. pp. 53-55.

was transitory and did not rest on the sure foundation of really altered habits and thorough reform of character.

But the condition of Millbank under Mr. Nihil was not that of Newgate and other prisons in 1816. It could not be said the Penitentiary prisoners were neglected. No fault could be found with their treatment generally, or the measures taken to provide for their spiritual needs. Long before the arrival of the "Ladies' Association" the religious instruction of the female prisoners may be said to have reached a point of saturation: the preaching and praying, if I may say so, had been already a little overdone. Hence it was that their advent deepened only their outward hypocrisy and lip service, without changing one whit their evil natures, which still rankled like hidden sores beneath.

And so it is to-day. Lady visitors, inheritors of the mantle worn by Mrs. Fry, still pass from cell to cell in "Pentagon 3"—as the Millbank female prison is familiarly called—and still are closeted for hours together with the female prisoners. Naturally the women look forward to these visits, which are to them clearly an amusement and "a change." But what comes of it all? The result, it is to be feared, is precisely what it was in days gone by. The improvement does not go far down—it is but skin-deep. Hypocrites are made more hypocritical, and the cunning merely laugh in their sleeve. Even were there in some cases any tangible benefit accruing from these ministrations—a point I am by no means prepared to allow—that benefit is more than neutralized by the mischief that is even more certainly effected in others. These lady visitors are "amateurs," and, like all other unprofessional people, the work they do is imperfect and incom-

plete. Their tendency is to waste their energy in the wrong direction. If they alone suffered we might pity them and pass on, but serious injury to discipline is another inevitable consequence, and this ought not to be ignored. From benevolent motives, no doubt, but by mistake, the worst "cases" are those which by preference the ladies take up: these they pet, encourage, and make much of; while a good peaceable prisoner, to whom a word or two of comfort would really be a boon, is neglected and left to herself. Seeing how much the visits of the ladies are appreciated, this plan of action is really placing a premium on misconduct. The regular official staff of the prison would avoid an error like this. With trained professional eye they would sift the wheat from the chaff, and discriminate between impostors and the really deserving. Indeed the permanent officers of an establishment like Millbank are so amply sufficient for all needs that the necessity for outside extraneous assistance is not at once apparent—more especially when it is to be feared that evil rather than good is the consequence of these amateur ministrations.

There was, however, in Mr. Nihil's time, plenty of rough materials to work upon in the female pentagon. Some of the cases of misconduct recorded in the governor's Journals are far worse than anything we can even now-a-days imagine. The women maintained the fight longer and with greater recklessness than would really be possible with our modern management in a modern prison. No doubt this was because the right methods of treatment were as yet hardly known, or if known were practised but imperfectly. I shall proceed now to detail one or two of the most flagrant instances of the protracted misconduct of those days,

leaving it to the reader to decide whether the absence of similar outrageous behaviour now does not at least prove a certain superiority in our modern system of prison administration.

I have referred already to the additional annoyance entailed upon the governor by the consignment to his charge of the female transports awaiting transportation. None of these were worse than a certain Julia Newman, who was a Penitentiary prisoner, and whose case I shall describe directly at length, taking it as a type of the whole. But there were many others among the female convicts who were also very desperate characters indeed; such as the woman from Liverpool, concerning whom the governor of the gaol wrote to say that she was so desperate that he thought it would be necessary to send her tied up in a sack. Mary McCarthy, was another, who was brought in handcuffs from Newgate, with a note to the effect that she required the greatest attention. She had several times attempted to strangle herself, and had therefore been handcuffed day and night and constantly watched. "She is a most artful, designing woman, and will succeed, if not well looked after, in her attempts to destroy herself."

Mr. Nihil found McCarthy submissive and tractable, but after the above caution he thought it advisable to continue the handcuffing, intending to withdraw the restraint as soon as she abandoned her intention to commit suicide. At the end of two days she managed to rid herself of her handcuffs, having very small wrists; but as she evinced no signs of violence or intractability they were not replaced, the governor thinking, from his experience with Newman, that effectual and complete restraint was impossible if the

prisoner was determined. McCarthy was, however, constantly watched, and for ten days she remained quite quiet. On the 21st of October, a fortnight after her admission, she begged her warder, Mrs. West, to come into her cell and teach her to stitch. Mrs. West did so readily, and all was calm and peaceable for a while. Suddenly, without giving Mrs. West a moment's warning, McCarthy stabbed her from behind, inflicting one severe wound on the forehead and the other under the ear. She appears to have used the utmost violence. Mrs. West got up, streaming with blood, and made for the cell door, which she bolted behind her, thus securing the prisoner inside. Assistance was called at once, but on going back to the cell McCarthy was found on the floor insensible, with a big bruise on her forehead. She continued in this kind of trance for twenty-four hours. It was a marvel to every one how she had got the weapon, for in consequence of her known suicidal tendencies she had been furnished with neither knife or scissors. However, on returning from exercise, as it was afterwards ascertained, she had seen a knife lying on the floor in the passage, and stooping, as if to pull up her shoe, had managed to secrete the knife in her sleeve. So unprovoked and murderous an attack, coupled with the previous attempts at suicide, indicated a maniacal ferocity. The succeeding trance corroborated the suspicions; and although the prisoner had exhibited great art in concealing her weapon, such cunning was not inconsistent with mania. She had also attempted to effect her escape by making a large hole in the ceiling of her cell.' Therefore, a well known physician, Dr. Monro, was now sent for, and at once, on hearing the whole story, certified the prisoner to be insane. She was

now in the infirmary, "bound with several ligatures by her feet and arms to the bed." The surgeon removed those on her arms, on which the governor thought it prudent to put her into handcuffs. In the night she was caught in the act of getting her feet loose, and was evidently bent on some further mischief. Thus baffled, she remained sullen for some time, then sent for the governor and made a clean breast of it, having been moved thereto by a passage in Psalm cxix., which another prisoner who watched her had been reading aloud. The expression she noticed was about "going away like lost sheep." She told the governor that while she was in the trance she knew some gentlemen had come to see her, and that one of them was a mad doctor. "I don't think doctors know much about madness," she added, "or they'd a understood me better." Mr. Nihil is now pretty sure that McCarthy is no lunatic, but Dr. Monro and Dr. Wade adhere to their former opinion, so she is removed to Bethlehem.

Another woman, Ann Williams, who was received from Bath, proved a very desperate character. The governor of Bath Gaol, who brought her up to London, declared he had never had so much trouble with any prisoner before. She also was determined to make away with herself, and the first time left alone she had jumped out of a window an immense height from the ground. This country gaoler, on seeing the cell to which she was destined in the Penitentiary, protested that it would be highly dangerous to allow her to have pewter pint, or spoon, or cell stool. The moment her hands were loosened she would be sure to thrust the spoon down her throat, or attack some one with the stool. Even the sheets should be removed, for she was capable of

tearing them into slips to make herself a halter. Directly she arrived at Millbank she tried to dash her brains out by striking her head violently against the wall—emulating in this respect another prisoner for whom, some years later, a special head-dress was provided, a sort of Turkish cap padded at the top, merely to save her skull. Williams' language was dreadful, and she refused all food. The governor now suspects her strongly of artifice, and the doctor recommends that she should be punished with bread and water diet. That night she grows extremely turbulent. She is now tied down to her bedstead, and a sort of gag, brought from Bath for McCarthy, is used and has a great effect in curbing her rage. This gag was a wide piece of strong leather, having perforated holes to admit of breathing, but which completely silenced her horrible and violent expressions. After starving herself for four days she has still strength enough left to get out of her handcuffs, and would have done much mischief had not the other prisoners who were watching her held her down by the hair. After greasing her wrists it was found possible to replace the handcuffs. This was another case in which it was thought advisable to give the prisoner the benefit of the doubt, and she was also removed to Bedlam.

It was quite within possibility that in these two cases madness was proved. But it is often difficult to draw the line between madness and outrageous misconduct; and the latter is sometimes persisted in in order to make good a pretence of deranged intellect. Among the female prisoners there are numerous instances of this—and for the matter of that among the males also. Cases of "trying it on," or "doing the barmy," which are cant terms for feigning

lunacy, used at one time to be more frequent than they are now, when longer experience protect prison medical men from deception.

The case of Julia St. Clair Newman—or Miss Newman, as she was commonly called in the prison and out—attracted considerable attention in its time, becoming indeed the subject of frequent discussion in Parliament, and being referred at length to a Select Committee of the House of Lords. Inside the walls Julia Newman was for many months the centre of all interest; she was a thorn in the side of all officials, visitors, governor, doctor, matrons, and even of her fellow-prisoners. Apparently of Creole origin—at least it was certain that she had been born in one of the West India Islands—she came home while still a child, and was educated at a French boarding-school. When sixteen she returned to Trinidad with her mother, remained there a year or two, and again came to England to live on an allowance made them by Julia's guardian. But whether this allowance was too small, or their natural proclivities would not be repressed, they soon got into bad ways. Repeatedly shifting houses, moving from one lodging to another, always in debt, and not seldom under suspicion of swindling and fraud. Three months in the King's Bench was followed by a lengthened sojourn in Whitecross Street Gaol; then came more shady transactions, mistakes like pledging their landlady's plate for their own, making away with wearing apparel and furniture, or absconding without payment of rent. At length, having left the apartments of a certain Mrs. Dobbs in a hurry, they packed up—quite by accident—in one of their trunks a silver spoon, some glasses, and a decanter, the property of the aforesaid Mrs. Dobbs. For this they

were arrested, and as soon as they were in custody a second charge was laid against them for stealing a ring from a woman in the King's Bench, which Julia indignantly denied, declaring that she had picked it up in the pump yard—where of course there were plenty of rings to be had simply for the trouble of stooping. Unfortunately the jury disbelieved the Newmans' explanation of both counts, and mother and daughter were found guilty and sentenced to transportation.

They were evidently a pair of ordinary commonplace habitual swindlers, deserving no special notice. But their rumoured gentility gained for them a species of misplaced sympathy; and they were excused transportation, to be sent instead, for reformation, to the Penitentiary, where they arrived on the 11th March, 1837. Of the mother it will be sufficient to say at once that she was an inoffensive tractable old woman, who bore her punishment with patience, and eventually died in prison. But Julia was cast in a different mould. Under thirty—according to her own statement she was only nineteen,—full in figure, and florid of complexion, possessed, as was afterwards proved, of extraordinary physical strength, she displayed, from the first moment almost, an incorrigible perversity which made her in the end a perfect nuisance to the whole establishment. There was something ladylike about her when she was in a peaceable mood. Inexperienced people would have called her a gentlewoman. Not handsome or even good looking, but decidedly "interesting," the matrons said when questioned before the Select Committee. She was accomplished: could draw and paint, and was very musical; sang quite beautifully—and certainly during her stay at Millbank she gave plenty of proof of the strength and compass of her

voice; and with all this she was clever, designing, and of course thoroughly unprincipled.

The day after her reception she endeavoured to tamper with the wardswoman; seeking to obtain paper and pencil "to write a letter to her mother." When taxed with this breach of rules, she declared the wardswoman wanted to force the things upon her. Then she was found to have cut a page out of "The Prisoner's Companion," a book supplied to all. "Questioned privately, Newman with many expressions of grief confessed her guilt." Mr. Nihil, who was still quite in the dark as to her real character, pardoned this offence. She was next charged with an attempt to induce a fellow-prisoner to pass on a message to her (Newman's) mother—the substance of which was that the elder Newman was to impose upon the chaplain by a hypocritical confession, to obtain thus the daughter's release, Julia promising when free to contrive means by which the mother should also be discharged. The "dark" became her lot for this, and to it she again returned the following week, for refusing to clean out her cell. When the governor reasoned with her, she merely said she would be happy to pay some other prisoner to do it for her. This second visit to the dark brought her under the doctor's notice, who ordered her to the infirmary, as she declared she was too weak to walk downstairs. Her face having grown quite pale and ghastly, help was sent for, when it was discovered that she had whitened it with chalk. She again visited the dark, and when released began again to communicate with her mother. Several "stiffs" * were

* "Stiffs" are letters written clandestinely by prisoners to one another on any scrap of paper they can find.

intercepted, in which she tried to persuade her to smuggle a letter out to their solicitors. This discovery led to a strict search of Julia's cell and person, when large quantities of writing paper were found upon her, though "how she procured the paper, or the pen, or how she manufactured the ink, continued a mystery implying great laxity of supervision." Her anxiety to write thus checked in one direction found vent in another: with the point of her scissors she had scratched upon the whitewash of her cell wall four verses of poetry. The words were harmless, and as she asserted that she felt it a severe restriction being kept apart, the governor admonished her well for this offence. This leniency was quite thrown away. A fresh attempt at clandestine corespondence comes to light within a week or two. Newman passes a letter at chapel to Mary Ann Stickley, which is found in the other's bosom, the substance of it being that Newman professed a great regard for Stickley, and begged of her to excite the hatred of all the other prisoners against Ware for her recent betrayal of Newman. A second letter was picked up by Alice Bradley in front of Newman's cell, addressed to a prisoner named Weedon, whom she abused in round terms for making a false charge against the governor to the effect that he had called her (Newman) by some horrid epithet—"which she could *never* believe of that good man." Newman's cell was again searched, when an ink bottle was found in the hopper, and some substitutes for pens. Her letters were found "replete with artifices respecting modes of communication." Her next form of amusement was to manufacture a big rag doll for herself, out of a breadth of her petticoat. When this was discovered Newman was at exercise walking

in the yard, and she heard that her cell was about to be thoroughly searched. Whereupon she ran as fast as she could, back to her ward, and endeavoured to prevent the matrons from entering her cell. When searched herself she resisted violently, but with the assistance of the wardswoman some written papers were taken from her, also some leaves from the blank part of her Prayer-Book, also written over.

"I understand," says the governor, "a most extraordinary scene took place when the prisoner apprehended a search. She rushed to the stove and thrust certain papers into it, which but for the promptitude of the wardswoman, who behaved admirably, would soon have succeeded in putting them beyond investigation. They were however rescued, upon which she threw her arms round the warder's neck, kissed her vehemently, went on her knees, supplicated concealment, tore her hair, and by such passionate demonstrations evinced the great importance she attached to the papers. The warder wept, the taskmistress contributed her tears, the wardswoman was overcome, but all stood faithful. In the midst of the screaming and confusion came the schoolmaster, who was also assailed with all the tender importunities of the fair prisoner, but all in vain." *

By this time the governor arrived upon the scene, the officers partially recovered from their consternation, and Newman, much less excited, was disposed to make light of the document recently esteemed so precious. She said it was only a copy; the original had been torn up. "What is it then?" "A paper from which my mother and I expect to gain our liberty. It relates to a person who was the

* Journal, vol. xi.

cause of all our misfortunes." On inspection it proved to be a statement, or dying confession, of one Mary Hewett, tending to exculpate the Newmans at her own expense—probably a draft of what Julia Newman wished Hewett to say.

Three days later Julia is reported to be in a state of fury about 9.30 P.M. Loud screaming proceeded from her cell. "I found her in a most violent paroxysm of rage. It was most painful to see it. Not genuine madness did she evince, but that species of temporary frenzy to which an actress by force of imagination and violent effort could attain. Towards me she expressed the utmost abhorrence, and slammed the door in my face. I sent for the surgeon and some male officers, for her screams and yells, her violence in tearing her hair, and knocking her head against the wall, made it probable that forcible restraint would be necessary."

The surgeon did not wish to have her placed in a dark cell, nor even in a strait waistcoat, and at his recommendation she was taken to the infirmary and put in a room by herself; but she was not removed without a continuance of violent screaming, to the disturbance of the whole place. Papers were found in her cell, on one of which was written "a lampoon, composed in doggrel verses, in which she vented the bitterness of her revenge. I (Mr. Nihil) was the principal object of her ridicule. It is melancholy to see a young girl of talent and some attainments so bent upon deception, and when foiled in her artifice abandoning herself alternately to studied malice and furious rage." She remained in the infirmary for three days at the special wish of the surgeon, though the governor wanted to have her back

in her cell. All the time she continued to feign insanity—a clear imposture of which the doctors, the governor, and the assistant chaplain were all convinced. The governor visited her "to endeavour to convince her of the folly and hopelessness of this course; but the moment she saw me she addressed me with the most insulting expressions, and seizing a can full of gruel threw it at my head." She was restrained from further violence, but continued to use the most outrageous exclamations, to the disturbance of the whole prison. The surgeon now consented to have her removed to a dark cell; and the governor remarks, "I can account for her personal hostility to myself thus. She has been defeated in several attempts to carry on clandestine communications. Until Monday last she cherished a hope of getting back among the other prisoners, where she might still prosecute her schemes; but on that day I again refused her, and my refusal was such as it was hopeless for her to try to alter it." She continued in the dark, amusing herself by singing songs of her own composition, "too regular and too much studied for the productions of a genuine madwoman." She slept well, and ate all the bread they gave her. The visitor, Mr. Crawford, saw her, and recommended another medical opinion. Accordingly Mr. White, the former surgeon to the establishment, was called in, and stated that her madness was assumed, but he recommended she still should be treated as a patient.

Goaded at length by the continued annoyance, the governor writes to the committee as follows:—"I submit that the case of Julia Newman calls for some decisive proceeding. There has been time enough—eleven days—to put to the test whether she is mad in reality or only

in pretence. She has contrived to set all discipline at defiance, continually singing so as to be heard in every part of the establishment. Her conduct excites universal attention, and furnishes an example of the grossest insubordination. If the prisoner is mad, she ought forthwith to be sent to a mad-house; if not, she ought to be sent abroad as incorrigible. Yesterday she showed a disposition to return to her senses, as if tired of the effort of simulation, but did not know how to get out of her assumed character. To-day she is as bad as ever. No doubt in time she would come all right, but in the meantime what is to be done with her? I cannot venture to place her among other prisoners. If she is to be kept apart the whole time of her imprisonment (of which three and a half years are unexpired), there is every reason to expect a constant recurrence of violence and other modes of annoyance; for she has no respect for authority, and after assaulting the governor and counterfeiting madness with impunity, she will be emboldened to act as she likes. If put into a dark cell doubts as to her sanity will arise, and perhaps her own self-abandonment to violence may superinduce real madness, and then it will be said that our system at the Penitentiary had driven her out of her mind. She is far too dangerous a character to be sent into a ward with other prisoners. She has already tampered with eight or ten prisoners, perhaps more."

There is no end to her deception. In one of the papers taken from her she asserted that certain property was secreted in a flower-pot, and buried in a garden in Goswell Street, at the house of one Elderton. The governor applied to Sir F. Roe, at Bow Street, who said,

"Newman has been before me already. She was charged in an anonymous letter with infanticide; but on investigation, I found the letter was a malicious composition of this Mr. Elderton. The letter contained many revolting particulars, and charged Newman with the utmost barbarity." The letter was sent for and examined by Mr. Nihil, who at once recognized the writing as Newman's own; and she had evidently written it with the object of ruining Elderton's character, and to appear herself as the victim of a conspiracy. "So wily, ingenious, clever, and unprincipled a deceiver as this prisoner cannot, I submit, after all that has passed, be placed amongst others without endangering the subordination and discipline of the whole ward; and unless the committee are prepared to direct that she be kept altogether apart, I hope they will bring the matter to a crisis and send her abroad."

For a month this violence of demeanour continued. She was found "uniformly ungovernable." In her cell, when searched at regular intervals, clandestine writings are always discovered; in one of which was a long and critical examination of the character of the young Queen, who had just come to the throne. Mr. Nihil begins to despair. "Julia Newman having continued her pretended madness up to the present time, to the frequent disturbance of the prison, and having committed innumerable breaches of order, it became my duty to put a stop to her proceedings."

There was no chance of getting rid of her by transportation, as the last shipload of female convicts for that season had sailed, and there would be no other till the spring. "This being the case, I thought it necessary to converse with the prisoner, with a view of convincing her

of the folly of carrying on her attempts, and warning her of the consequence of any further disturbance. I found her with her head fantastically dressed, and other ridiculous accompaniments. She would not hear me—darted out of her cell—stopped her ears, and uttered several violent exclamations. I made several attempts at expostulation, but in vain, and therefore I sent her to the dark." The surgeon thought her madness all deception. Again: "As my visits to Julia Newman are only signals for violence, I have abstained from visiting her in the dark, but inquired into her demeanour from the surgeon. He said that in his presence she affected to beat herself violently, and passionately to wish for death. Afterwards, in a manner very unlike a mad-woman, she said she had been put into a dark cell, but it was a matter of perfect indifference to her whether she was in a dark or light cell. As the surgeon turned away she swore at him violently." Next day she hammers out her drinking-cup quite flat; and when being locked up for the night, asserts loudly that she is quite well, sings and shouts violently. "There was an obvious effort of bravado in her madness." Still the same report comes from the surgeon: "J. N. continues her affected madness." The governor sends word he will let her out of the dark as soon as she promises to behave herself; and then Miss Neave, one of the lady visitors, goes to her by the governor's request, "in the hope that the conversation of a lady, against whom she could have no prejudice, might have a salutary effect." It proved ineffectual. The prisoner said she did not want to be preached to; would not listen to a word from Miss Neave, threw water at her, singing also, and shouting in a most powerful voice,

so as to baffle all her attempts. Miss Neave was quite convinced the prisoner's insanity was feigned, and that she was only acting a part. At length she is removed to a sleeping cell in the infirmary for treatment, and here after a first paroxysm of rage, in which she smashes a basin into atoms, she assumes a timid aspect, and when spoken to by the taskmistress, weeps like a child. "In the hope she might be a little softened," says Mr. Nihil, "I spoke to Miss Frazer, another of the visiting ladies, who agreed to go to Newman, saying that Julia had always received her with gentleness and apparent pleasure. On this occasion, however, Newman behaved with frightful violence, refusing to have any visit, dashing her can upon the table, and seeming as if she would strike Miss Frazer if she could. She had already blackened her own eyes, and she appeared so possessed by despair, that Miss Frazer thought she might do herself some serious injury, and that her hands should be secured."

Two days later we read: "Julia Newman is worse than ever. The doctors say she is not mad, at least Dr. Monro did. Mr. Wade is doubtful." The governor himself being of opinion that she is only carrying on a deep scheme, "I suggested," he says, "to Mr. Wade, a day or two ago, that if any circumstance had arisen to make it probable that she was really deranged, we had better have another opinion, and send her to Bedlam; but there does not seem any ground for this step. But is the prisoner to defy all authority, now that the doctor has removed her from the dark to the infirmary? Certainly not. I therefore called upon the doctor to report whether there was any danger in subjecting her to fresh punishment for fresh

offences?" The surgeon thinks there would be considerable risk in sending her to the dark cell on bread and water at present. "Had I received a different answer, I should have proceeded forthwith to act upon the reports against her; but the committee will see how I am situated. She is too ill for punishment, and gets more violent and refractory than ever. Her acts of misconduct are: refusing to take her dinner, tearing up her Prayer-Book, singing loudly all the forepart of the evening, and refusing her breakfast; grazing her nose, so that her face presents the most frightful appearance; asking for a can of water and then throwing it all over the taskmistress." No further steps are taken at the moment, beyond providing a special strait waistcoat to be used in case of emergency. But she still continues to be in the dark. About 7 P.M. that evening she is heard screaming loudly. After some time the governor sends to ask the surgeon if he was aware of it. Answer comes to say doctor is ill in bed. Second message (oh, cunning Governor-Chaplain!): "Would it be objectionable to her health to remove her to the dark?" Surgeon, asking only to be left in peace, replies, "Nothing to prevent her being placed anywhere." This is all the governor wants. Off she goes to the dark, where she remains till she is reported to be singing as loudly as ever in her cell, and won't give up her rug. Next she is found lying on her back, with a handkerchief knotted tightly around her neck. As soon as she was better, she uttered the following impromptu :—

> "What a pity hell's gates are not kept by dame King,
> So surly a cur would let nobody in"—

Mrs. King being the Infirmary warder. Then the assistant chaplain visited her, and was treated with the

utmost insolence. She attacked Mrs. Dyett, another matron, and knocked the candlestick out of her hand, "triumphing at the same time at her exploit. Upon this I ordered her to be confined in the strait waistcoat made expressly for her under the directions of the surgeon." Some time after this the doctor visits her, and finds she has not only rid herself of the restraint, but she has also torn the waistcoat and most of her own clothes to atoms. Nevertheless, he thinks her so unwell that he removes her again to the infirmary. From this, in the course of a few days, she returns to her ward. The cell, however, could not hold her, and she soon forced her way out into the passage. Another new, and much stronger strait waistcoat, specially constructed, was now put on her by a couple of male officers. Within an hour or two it was found slashed to ribbons, and on a close search a pair of scissors were discovered under her arm, accounting no doubt for the destruction.

Her next offence is to slap a matron in the face. Again the strait waistcoat is tried, this time a newer and a still stronger one; but it is found too large to be of any use, so she is sent to the dark instead.

For a time she appears tamed, and for quite a month she remains quiet, though still "unconformable." She is, however, next reported for making three baskets from the straw of her mattrass and part of the leaves of her Bible. She has written a long incoherent statement, probably with a stocking needle for pen, and some blood and water for ink. The warders when questioned showed great lack of desire to perform their duties. "The truth is, the prisoner is very difficult to deal with, and they are all

more or less afraid of her. It is no wonder that a person of her strength, violence, and mental superiority, combined with reckless determination and obstinacy, should inspire these terrors; and I really cannot blame these officers. Without perpetually searching her person, as well as her bedding, it would be impossible to guard against the practices just reported, but this would occasion perpetual disturbance, leading to no good end, but doing much mischief in the Penitentiary." Convinced that Millbank means of punishment are totally inadequate to attain the end of reforming her, or compelling her to obey the rules, the governor, to avoid constant worry, is content to leave her quite to herself, keeping her apart—in itself a heavy punishment—and restricting her to bread and water when she broke the rules.

Newman, however, would not consent to be forgotten. Her next offence was to refuse to give out her cell stool, and when the door was opened she flung it with great violence at her warder's head, but the latter fortunately evaded the blow. The governor and the male officers together repaired to the spot in order "to remove this most rebellious and dangerous prisoner to the dark. Her subsequent conduct has been of the same stamp. None but the most prominent features admit of being reported, her life here being in fact one continued system of insult and contempt. In the dark cell she levelled her tin can at the surgeon, and the contents fell upon the taskmistress; had either of them been struck by the vessel it might have been of serious consequence. Her cell has since been examined, and several figures and other articles have been discovered. They exhibit extraordinary resource and

ingenuity, unhappily directed to the flagitious purpose of destroying property and manifesting contempt of authority."

As soon as she went to the dark, the surgeon recommended that she should be removed to the infirmary, as she appeared much exhausted. "I thought it necessary to remonstrate against this, as it appeared ill-timed lenity. I am very reluctant to liberate the prisoner from punishment for several reasons. Every fresh victory which under the plea of ill-health she has achieved, has been productive of increased insolence; and I have often lamented to see her indulged with arrowroot and similar nicities at the very time she has been defying all authority. The female officers entertain just apprehensions in waiting on her in the usual manner when restored to a sleeping cell, and with regard to the mode of punishing her on fresh offences I am quite perplexed. I might again send her to the dark, again to be restored in an unsubdued state to a sleeping cell, and so on continually, but I am obliged to resort to male assistance, and this I find by experience has a very injurious effect upon the other female prisoners, many of whom take it into their heads to brave all female authority, and require the men to be sent for before they will submit." The governor thinks, "All prisoners whose insubordinate spirit does not yield to the ordinary method of treatment, should be reported as incorrigible and removed. . . . The moral injury they do to the residue by long continued examples of rebellion is incalculable."

The assistant chaplain reports on 12th December, that he found Julia Newman exceedingly exhausted, and that the news of a letter from Trinidad to her mother failed to

rouse her. She had only eaten a little of the crust of her bread, and he was alarmed as to the consequences which might follow if she were allowed to remain longer in the dark cell. Mr. Nihil is still firm. "I remarked that her exhaustion was owing not to confinement in a dark cell, but to an obstinate refusal to eat her bread; and that I could not compel her to eat; and that if she would not eat unless humoured in this instance, she might as well refuse to eat unless I let her out of the prison, and that I should not be justified in complying from apprehension of danger to her health thus wilfully incurred. In like manner it seemed now as if she chose to starve herself because she was not allowed to throw stools at the heads of officers. But of course I have no desire to keep her under punishment a moment after she shows a disposition to conform to the regulations and maintain that quietness I am here to enforce."

The surgeon was now sent for, and asked what he thought. He was afraid it would be necessary to remove her on the ground of safety, being persuaded she would sacrifice her life sooner than yield.

"If you think she cannot be kept under punishment with safety, I must submit to your opinion," says the governor. "It is for you to determine that, otherwise I must distinctly object; for the duties of my office will not permit me to give in to her while she continues insubordinate."

"It's not the dark cell," replied the doctor, "that constitutes her danger, but her persistent refusal to eat so long as she is kept there."

"Very well then," said the governor; "you may remove

her. I cannot stand in the way and prevent you from acting on your own judgment."

The surgeon went, and in five minutes returned.

"Well?"

"There's not much the matter with her yet. Directly she saw me she began to sing and scream, with a voice as loud as if she had lived always on solid meat. She pelted me with bread—refused to come and have her pulse felt—abused, insulted me in every way, and finally said she was just as well in the dark as anywhere else."

Under these circumstances it was decided to leave her where she was for the present, especially as a forcible removal might have created a general disturbance in the prison.

The next step in the case was her removal to Bethlehem Hospital as mad. But even this was misconstrued; for when, in the February following (1838), a discussion arose in the House of Lords as to alleged ill-treatment of prisoners in the Penitentiary, Newman's case was mentioned as one in which, on the other hand, culpable leniency had been shown. Those who found fault declared that she had been sent to an asylum, not because she was mad, but because by birth a lady. The same people declared that it was well known she was not mad, and that she never had been. The matrons at Bethlehem knew this well, and had told her to her face that she was only feigning; whereupon she ceased to feign. Then as it was clear she was not mad, it was equally clear that Bethlehem was not the place for her. Accordingly, she was returned to the Penitentiary; and back she came, exhibiting throughout the most sullen contempt, and persistently refusing to open her

lips. Directly she returned she again began her tricks. Deliberately insolent refusals to execute the orders she received, and open contempt of punishment, were the leading points on which she differed with the authorities. Again the governor urges on the committee that she may be removed "by transportation," she being, under existing circumstances, both intractable and incorrigible. "If I am to maintain discipline where she is, it must be by entering perpetually into fresh and perplexing contests, the outcome of which may be very awful as respects the prisoner and exceedingly embarrassing as respects the Institution." She next pretends to wish to lay hands upon herself, and her rug is found torn up and converted into a noose. It was hanging to a peg in her cell, like a halter ready for use. The authorities thence considered it advisable therefore to place her in restraint, in a new strait waistcoat which fitted close. In an hour or two she had torn it all to pieces. The next proceeding was to confine her hands in a very small pair of handcuffs, and to pinion her arms with strong tape. The waistcoat appearing to have been cut, she and her cell was searched, but no knife or scissors could be found, but only a piece of broken glass which she must have used for the purpose. She soon afterwards loosened the tape, and was then bound with strong webbing to the bedstead. Next morning she was found to have got rid of the handcuffs, had cut the webbing to pieces, broken her windows, and destroyed her bedding. One of the female warders was therefore sent to a surgical instrument maker's to purchase some effectual instrument of restraint, and returned with a muff-belt and handcuffs, all united, and ingeniously contrived to defeat the

struggles of lunatics—quite a new invention. Before long she completely destoyed the muff and got rid of the handcuffs attached to it. She was next secured to the wall by a stout chain.

An officer, Mrs. Drago, who visited her just now, asked her why she could make such a figure of herself, pretending to be mad too, when she wasn't. "I've been advised to do it by my solicitor. If I can only get out, I'll soon manage to get my mother out. I'm a person of large fortune, and can make it worth any one's while to do me a good turn. Mrs. Bryant used to, but she's gone. That used to be my larder, over there,"—pointing to the window blind. Her evident object was to tamper with Mrs. Drago, and this of itself gave evidence that she could not be very mad.

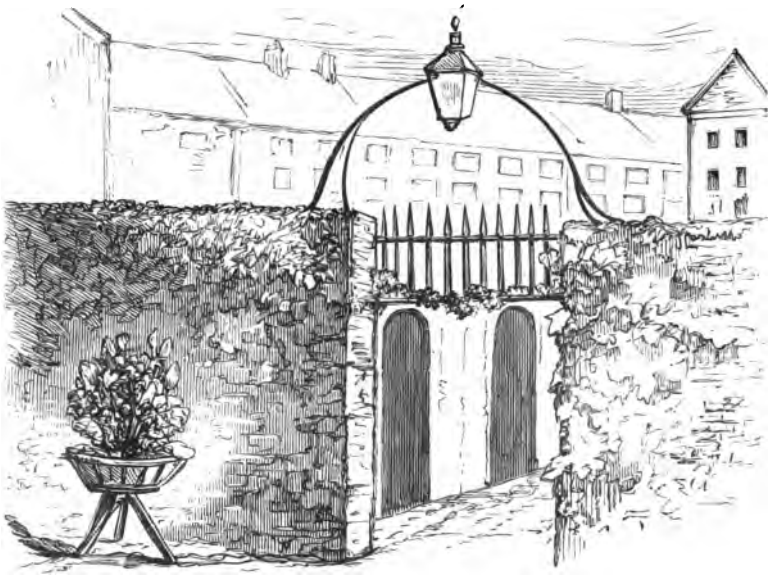
The chain by which she is now confined was put round her waist, passed through a ring in the wall, and padlocked. "This security was of short duration: before morning she had slipped through the chain. It was again placed on her in a more effectual manner, under, instead of outside her clothes. . . . As she had destroyed so much of her bedding I ordered her to have no more bed-clothes. In the evening she made the most violent demand for a blanket, and said she was dying of cramp and cold. . . . As a matter of discipline I thought it my duty to refuse the blanket unless ordered by the surgeon. When she heard this she quite frightened the female officer with the frightful and horrible imprecations she uttered."

In consequence of her getting out of her chain the manufacturer of restraints for the insane came to devise some fresh expedient for confining her. He made a pair of leather sleeves of extra strength, and fitted them himself.

They came up to her shoulders, were strapped across, then also strapped round her waist, and again below, fastening her hands close to her side.

Next morning the taskmistress took the sleeves to the governor. In the night Julia had extricated herself from them, and then cut them into ribbons, using a piece of glass she had secreted. A new strait waistcoat was now made for her, and she was specially measured by the manufacturer already mentioned; but it could not be ready before the morning, so she was left without restraint that night. Many of the officials were afraid she would commit suicide, but not Mr. Nihil. However, next morning she was found with her clothes torn to rags, and part tied tightly round her neck. As a measure of precaution the new strait waistcoat was then put on, after she had been first carefully searched. A strong collar was also put round her neck to prevent her biting at the waistcoat with her teeth. "I lament exceedingly," says Mr. Nihil, "the necessity of resorting to such measures; but what is to be done with this violent and obstinate girl?" Next morning she was found to have got at the waistcoat with her teeth in spite of the collar, then one hand loose, after which she relieved herself of the apparatus altogether.

She was now left free, while fresh devices were sought to restrain her, but in the midst of it all came an order for her removal to Van Diemen's Land, whither she was in a day or two conveyed in the *Nautilus* convict ship. And here the curtain falls upon her.



ENTRANCE TO PENTAGON.

CHAPTER XII.

THE CASE AGAINST THE PENITENTIARY.

In the midst of all this, while Mr. Nihil, backed up by his committee, was working thus indefatigably and with the best intentions, the credit of the establishment over which they reigned was suddenly impugned in no measured terms. It was doubtful indeed whether the ship could weather the storm of invective that broke upon it. Had the managers of Millbank been ogres instead of painstaking philanthropists working for the public good, they could not

have been more rancorously assailed. But here was a case where people suffered because their rulers squabbled. It was a period when party warfare ran high and the Opposition hailed eagerly any opportunity of bringing discredit upon the Ministry. The attack made upon the Penitentiary was really directed against the Government.

On the 26th February, 1838, a noble lord rose in his place to call the attention of the House of Lords to a grave failure in the administration of criminal justice. "All London, the whole country, was ringing with it," said another noble lord. "It had been a topic of universal reprobation co-extensive with the hourly increasing sphere in which it has been known. All Westminster had talked of it, all Middlesex has pointed its eyes to the quarter in which the abuse occurred. I will venture to say," continued his lordship, "that it has been more talked of, more discussed, more indignantly commented upon in every corner of this great town and of this populous country, than any one subject either in or out of Parliament, or in any one of the courts of justice, civil or criminal." * It appeared that in Millbank, a prison exempt from the general jurisdiction of the county magistrates, and governed only by the Home Secretary, there had occurred five cases of unwarranted harshness and cruelty. Three little girls and two fine young men had been completely broken down by the system of solitary confinement therein practised. The children were mere infants: one, as it was alleged, was little more than seven years old; the other two were eight and ten respectively. Yet at this tender age they had been cut off entirely from the consoling influences of home and the

* Hansard's Parliamentary Debates, xli. p. 82 sqq.

kindly intercourse of relatives and companions, to be immured in solitary wretchedness for nearly thirteen consecutive months. So bitterly did these little ones lament the loneliness of their lengthened seclusion, that one asked piteously for a doll to keep her company, and all three were found at different times sleeping with their bed-clothes twisted to simulate a baby, so earnestly did they yearn for something like ideal society in their dreary confinement. More than this: the punishment of continued solitude had produced in them a marked infirmity of mind, manifested by great impediment of speech, and general difficulty in the expression of ideas. A gentleman, one of the Middlesex magistrates, who had visited the Penitentiary, described the effect upon their speech such as to render their voices "feeble, low, and inarticulate—to produce a kind of inward speaking, visible to and palpable to every one who heard them." So much for the children. As to the young men, one of them who had previously been remarkable for great activity and intelligence, came out in a state of idiotcy, and was afterwards retained as an idiot in St. Marylebone workhouse, reduced to such a state of utter and helpless imbecility as to be incapable of being employed even in breaking stones. The other was similarly affected. And yet all this was contrary to law. Here were prisoners subjected to uninterrupted solitary confinement for twelve and thirteen months, when by a recent Act it was expressly ordered that no such punishment should last for more than one month at a time, and never for more than three months in the year. Circumstances very disgraceful beyond doubt, if the charge were only proved, and entailing a weight of awful responsibility on those who were accountable to the public.

As the attack was made without a word of warning, Lord Melbourne, at that time the head of the Government, was unable to defend himself. All he could urge was that the House should reserve its opinion until upon a close investigation the grievances and evils alleged should be proved to exist. He deprecated the broaching of such a serious topic without due notice. Had such notice been given, some one would have been prepared with details to answer the charges made, and to show how far they were correct, how far exaggerated or far fetched; now, any explanation, however satisfactory, must come a little too late. The first word was of the utmost importance in all controversy. The effect of a calm artful statement was not easily removed. Supported by such powerful advocacy the impeachment of the Penitentiary must have sunk deep into the mind of every listener. Yet he felt certain that the whole statement was exaggerated and over-coloured; of this he had, indeed, no doubt, but he must claim a little time before he made a specific reply.

Next night he stated that full inquiry had been made. In the first place the ages of the children had been understated. Each of them was at least ten years old. But this was not a point of any very material importance. They were all three very profligate children. One of the worst signs of the day was the great increase of crimes committed by children of tender age. The principal cause of this was, no doubt, the wickedness of parents, who made their children the instruments for carrying out their own evil designs. In the present instance the three girls had been guilty of theft and sentenced to transportation, but they were recommended for the Penitentiary solely to remove them for a lengthened period from the influence of their parents, and to give the

Government an opportunity of effecting a reform in their character and conduct. The only place suitable for such an attempt was the Millbank Penitentiary, and to this they were removed. This establishment was governed by rules laid down by the Lords' Committee of 1835, and, therefore, if undue severity had been practised, it must have been done in defiance of those rules. But it was quite untrue that any of these prisoners had been subjected to protracted solitary confinement. There was no such thing in the Penitentiary except for prison offences, and then only for short periods. "Separate confinement there certainly was, but solitary confinement—complete seclusion, that is to say, without being seen, without going out to public worship—as a general practice is, I believe, unknown in the establishment.

"These children took exercise regularly twice a day, for half-an-hour at a time, in company with other prisoners of their ward; they had school also together twice a week; went to chapel on Sunday; and were regularly visited by benevolent Christian ladies (Mrs. Fry and her associates), who spent long hours in their cells. Surely their condition was not one of great hardship!

"The young men, Welsh and Ray, were notorious rogues, who had also been sent to the Penitentiary to effect, if possible, some reformation in their ill-conducted and irregular lives. Their behaviour had been very rebellious and disorderly, but though they had been frequently punished they had left the Penitentiary at the expiration of their terms of imprisonment in perfect health and full possession of all their faculties."

The Opposition laughed at the explanation. Not solitary

confinement? what was it then? The children went out to exercise. Yes; but they were not allowed to communicate or talk to one another. They went to church, and to school, but only for a few hours together in the week, and for the rest of the time they were shut up in their cells alone, utterly alone. Was not this solitary confinement? The distinction Lord Melbourne has drawn between separate and solitary, was flimsy, shadowy, and unsubstantial. When applied to children there was absolutely no difference whatever between the two. And were these accusations all unfounded then? Had they been disproved? Not yet. Let the Government wait till then to assert that they were unfounded. Accordingly, a committee of the House was appointed to inquire and report upon the whole case.

Of course it will be readily understood that the secret of all this coil was simply an effort to make political capital, and to blame Government for mismanagement of its public affairs. The excitement had owed its origin to "sensational" articles in the morning papers, following a first sensational announcement at a public meeting of magistrates, of the awful doings that were perpetrated within the walls of the Millbank Penitentiary. In the House of Commons, when questioned, Lord John Russell had simply denied the allegations, which he characterized as totally false. And Mr. Nihil, who was behind the scenes, enters in his Journal that it was evident that the agitators had been made victims of the grossest delusion. Nevertheless, the committee met, took evidence, and at the end of a month sent in their report. It was quite conclusive. The whole of the charges necessarily fell at once to the ground. "On the whole," they stated, summing up,

"the committee think it due to the officers of the Penitentiary to state, that all the convicts have been treated with all the leniency, and, in the case of the female children particularly, with all the attention to their moral improvement that was consistent with the rules laid down for the government of the Penitentiary." The children had come in dirty, ignorant, and in ill health; they were now cleanly, had learnt to read, could make shirts, and were all quite well and strong. Nothing was wrong with their voices: one could shout as loud as any girl of her age, but she was shy before strangers; the second led the singing of the hymns in her ward, though her voice was only of ordinary power, and had been even husky from the time of her reception; the third usually spoke from choice in a low tone, but she had been heard to shout often enough to other prisoners. It was quite evident, then, that in these three cases, not only had the cruelty been distinctly disproved, but it was equally clear that their imprisonment in the Penitentiary had been a positive benefit to the children in question. Nor was the charge a bit better substantiated in the case of the two "fine young men." Both of them had been cast for death at the Old Bailey, which was commuted afterwards to one year in the Penitentiary. One, Welsh, was a good-for-nothing vagrant, who had spent most of the seventeen years he had lived inside the Marylebone workhouse, and to this he had returned on his release from Millbank. He was a clever but unruly prisoner; he could read and write well, and his faculties had been sharpened rather than impaired by his residence in prison. The master of the Marylebone workhouse was decidedly of opinion that he had improved much: he was more civil

now than before, and he was greatly grown. Welsh said himself he had no fault to find with the Penitentiary; in fact, he was quite ready to go back to it, if they would only take him in. But this Welsh was in the habit of counterfeiting idiotcy, either to procure some extra indulgences, or to amuse himself and others, and he played the part so well that many who saw him were deceived.

William Ray, the other "victim," was older, having reached his twenty-fifth year. He also had passed the greater part of his life in the Marylebone workhouse; but he had enlisted twice into the army, and had gone with Sir de Lacy Evans to Spain. He had been discharged for incompetence, and it was perfectly clear from the evidence taken, that he was a person of very weak intellect long before he became an inmate of the prison: he had a vacant countenance, a silly laugh, and a habit of blinking his eyes and tossing his head about. Still he perfectly understood what he was ordered to do. He had become a good tailor, and had improved in reading.

Thus all the charges were disposed of; the character of the Penitentiary was triumphantly vindicated, and Mr. Nihil was in a position to continue his onward progress undisturbed. Naturally, the system in force having been held blameless, it might fairly be continued without change. The system at that time was simply this: The prisoners slept in separate cells which opened into a common passage, and at the centre of the passage was the warder's bedroom. The cells were ten feet by seven, and had a partition wall between them fourteen inches thick. The entrance to each cell had two doors—one of open iron work, the other of wood. At the first bell, every morning about daylight, the

prisoners were let out to wash, about six or eight at a time; and they then returned to their cells for the rest of the day, except during their two hours' exercise, and twice a week when they attended chapel and school. Their meals were brought to them in their cells by other prisoners let out for the purpose. The chaplain, assistant chaplain, and schoolmaster were for ever visiting them. All day long the wooden door of the cell remained wide open, and there were plenty of opportunities of talking to their neighbours through the gate of iron grating, where even a whisper could be heard. They were always talking—at washing time, at exercise, even when in their cells with both doors locked and bolted. Now this was manifestly not solitary confinement. Nay, more, it was not even separate confinement. But yet, without the latter, without perfect isolation and the prevention of all intercourse and intercommunication, it was felt by Mr. Nihil that his efforts to reform his prisoners were vain. Whatever good his counsels might accomplish was immediately counteracted by the vicious converse that still went on in spite of all attempts to check it. It was found that extensive communications were carried on; that prisoners learnt each other's histories, formed friendships and enmities, and contrived in many ways to do each other harm. Unless this were ended all hope of permanent cure was out of the question. The governor and chaplain must have their material to themselves; their process must not be interfered with while on its trial. It was not enough to turn over the new leaf: the page must be kept quite white and clean, it must not be sullied by the baneful talk of the old evil associates from which now the prisoner like a new man was weaned. Mr. Nihil says,

in 1838, that he is in great hopes that by the thorough separation of the prisoners, important advantages in respect to the efficiency of imprisonment and the reformation of the convicts would ensue. "The more perfect isolation of the prisoner by non-intercourse with fellow-criminals, not only renders the punishment more effective, but places him in a condition more susceptible of the good influences with which we seek to visit him—now constantly frustrated by communication through the wards." This sufficiently indicates Mr. Nihil's views, and from now henceforth it is his earnest aim and object to carry them out. He endeavours to make the separation daily more and more absolute; but not at first with success. Towards the end of the same year he reports as follows: "I feel it impossible to overrate the importance of using every effort to prevent communication between the prisoners. This is the most prominent regulation in our scheme of discipline; but the fact is, that it is only superficially observed. Under an external exhibition of silence, there is an effectual enjoyment of extensive intercourse among the prisoners. This proves to any one conversant with the working of our details that the rule is but a mockery, and that this great object of our system is not attained." Not alone in the iniquities that come to light, showing the positive wickedness of the communications, the governor has forced upon his observation "an unsubdued and audacious spirit and a fraudulent state of mind, clearly traceable to the combination and mutual impulse of everything wrong to which the intercourse of the prisoners gives rise."

"Possibly for this gigantic evil corrections may be applied. The intercourse occurs at washing, going to and

from exercise and chapel, at the machine, when walking, in chapel itself, at school, in the wards when unbolted, during the absence of the officers, in the infirmary, and lastly in their cells when alone at night. Chapel is the great occasion," goes on Mr. Nihil. "Their intercourse is developed into a trade. The going to and fro keeps the prisoners in a restless state, and the familiar lectures, at which they are questioned in company, superinduces vanity. The most forward and impudent are the most ready to answer, and they pride themselves on the display. . . . The chief result of chapel lectures is some current familiarity with the leading doctrines of scripture, unaccompanied by humility or genuine pious feeling." In the same way little benefit resulted from the teaching at the night schools. These schools were conducted by prisoner-monitors, who taught very indifferently; the warders exercised no supervision, and "this dry routine," Mr. Nihil observes, "of bandying sacred terms is apt to harden the mind."

Again, the governor is of opinion there should be cellular accommodation in the infirmaries; separation would diminish the instances of feigned indisposition. In the large wards they lounge away their time, enjoying plenty of good eating and drinking, with no lack of idle and corrupting talk. Their memories quite compensated for the deprivation of the style of literature they preferred, and it was proved that the substance of, or long quotations from many books of an improper character, were frequently heard, and that on one occasion a prisoner was known to repeat "Don Juan," aloud, from end to end.

So eager were the authorities to restrict the means of intercourse, that they were not above taking the advice of

a prisoner on the subject. "His suggestions are such as a prisoner is qualified to give, being the fruits of experience, and an intimate acquaintance with the various devices that are practised." If talking was to be prevented, he said, several new arrangements must be made; thus the officer, when prisoners were at exercise, instead of standing motionless should walk on an inner circle, in an opposite direction to the prisoners, so as to see their faces. The prisoners always talked directly the officers back was turned. Nor should they be allowed to eat while in the yard: under the pretence of chewing they really were engaged in conversation. Again, to put an end to clandestine letters, all the blank pages of library books should be numbered and frequently examined, so that none might be abstracted and used as writing paper. Nor should any whiting be issued to clean the pewters: the prisoners only used it to lay a thick white coat upon any damped paper, thus making a surface to write upon. By scraping off the whiting the same paper could be used over and over again. To make a pencil they scraped their pewter pints, then with the heat from the tailors' iron, with which many were supplied, they ran these scrapings into a mould. Lastly, all searching of cells and prisoners should be more frequent and complete; care should be taken in the latter case to examine the cuff and collar of the jacket, the waistband and the lower part of the legs of the trowsers, and the cap. In the cells, the bedding, all cracks in floor or shopboard, and the battens or little pieces below the tables should be thoroughly overhauled. With such precautions as these much might be effected; nevertheless, said the informer, misconduct must always continue, for prisoners

often incurred reports solely to gain the character of heroes.

And so with the new year many further changes were introduced. All the governor's recommendations were adopted, and not a few of the suggestions last quoted, in spite of the source from which they came. Within a week or two—rather soon, perhaps—the governor considers that the new discipline works extremely well. "Reports diminish, and the control of officers is more complete. Ill-tempered prisoners evinced great annoyance at the change; but by meeting this spirit by firmness and good temper it has, I trust, been repressed." Three months later he notices a distinct improvement in behaviour, traceable beyond question to the new rules. Prisoners formerly constantly reported now quite quiet, and in a very good state of mind —tractable, submissive, and grateful. "Several had learned to read; and many evinced a softened and subdued tone of feelings, and thanked God they had been brought to the Penitentiary. Some expressed a grateful sense of the value of the late regulations. One youth told me that previously they might almost as well have been in the same room with a crowd. . . . In Thomas Langdale, a desperate house-breaker and a very depraved man, the most hopeful change has taken place. He has written a most artless and interesting letter to his wife. . . . Some prisoners have acquired a great mastery over their violent tempers, and look quite cheerful and happy. . . . A few only still manifest great discontent."

All that year the principle has ample trial. In April, 1840, the governor asserts that in his opinion the state of the prison is highly satisfactory. The prisoners,

as testified by their letters (which were meant for him to see), were as happy as the day was long. They had good food, good clothing, and spoke with gratitude of the provision made for their religious instruction. Moreover, now the reins are as tight as they can be drawn. "Separation has within the last two years been much more carried out than formerly, and the effect has been very materially to reduce offences and punishments, and to promote reformation." His great difficulty now is that he cannot ventilate the cell without opening the door to communication. In fact he might seem to wish to seal up his prisoners hermetically; but he says, "I do not mean to advocate long separation from all social communication. I should prefer a system of regulated intercourse upon a plan of classification and superintendence and mutual education, guarded by occasional separation. What I object to is nominal separation accompanied with secret fraudulent vicious communication. Health is certainly a great consideration, but are morals less? Ought health to be sought by the rash demolition of an important moral fence? If health is alone to be looked to it would be very easy to suggest very simple means for keeping the prisoners in general good health; but then the objects of imprisonment would be altogether frustrated. Considering these objects indispensable, and that one of them is the moral reformation of the prisoners, I conceive it would be much better to leave them to the remedy of opening their cell windows for fresh air."

Mr. Nihil's notions were certainly clearly developed. He was not for half measures. But in his extreme eagerness to push his theory as far as it could go, he actually courted

failure. He was apparently blinded by a misconception of phrases. So long as he steered clear of what was called solitary confinement he thought he was safe. But he forgot that the more separation was insisted upon, the more nearly solitude was approached. In point of fact there was absolutely no distinction between the separate confinement practised at Millbank, and that solitary confinement which had already been universally condemned, and which by law was not to be inflicted except for very limited periods of time. Naturally the same fatal consequences, the inevitable results that follow such imprisonment protracted beyond the extreme limit, began to be plainly visible. Cases of insanity, or weakened intellect came to light, first in solitary instances, then more and more frequently. The committee were compelled to run counter to Mr. Nihil, and relax the rigorous separation from which he hoped to effect so much. I find in their report for 1841 that they consider it necessary to make great alterations in the discipline of the institution. "In consequence of a distressing increase in the number of insane prisoners, the committee, under sanction of the medical superintendent, came to the resolution that it would be unsafe to continue a system of strict separation for the long periods to which the ordinary sentences of the prisoners in the Penitentiary extend. They therefore propose that the system should be relaxed with regard to all classes of prisoners except two; viz., military prisoners whose sentences were extremely short, and persons convicted of unnatural offences; and that to all other prisoners the prohibition of intercourse should be limited to the first three months after their admission, and that upon the expiration of that period they

should be placed upon a system of modified intercourse." But they surrendered their views evidently with the utmost reluctance, and remarked further in this report that "they are, however, inclined to believe that no scheme of discipline in which intercourse between prisoners, however modified, forms an essential part, is ever likely to be made instrumental either to the prevention of crime or to the personal reformation of convicts to the same degree as a system of separation. Whether the latter system can be rendered compatible with the maintenance of the mental sanity of the prisoners is a subject of much controversy, and can only be determined by actual experiment, accompanied by such advantages as are proposed in the Model Prison."

This model prison was that built at Pentonville, under the active supervision of Colonel Jebb, R.E., and a board of commissioners specially appointed by the Secretary of State. The first stone was laid in April, 1840, and it was occupied by prisoners in December, 1842.

But it now becomes plainly evident that the waters are beginning to close over the Penitentiary. There are people outside its walls who are clearly not its friends, if not exactly open enemies. Thus dissatisfaction finds voice in the House of Commons, where, on the 15th March, 1841, Mr. Alderman Copeland asks for certain information which the prison authorities must have found it awkward to supply. This return called for was to show (1) the numbers sent to the Penitentiary during the past five years; (2) the numbers removed during that period for insanity, (3) for bad health, (4) pardoned, (5) died; and last of all it was to be stated how often the several members of the committee attended during the year. Here were evident

symptoms that the public were not well pleased either with the results obtained at Millbank or with the services of its amateur managers. More plain spoken still is the report issued by the inspector of prisons in 1842, in which the system of discipline enforced throughout the prison is characterized as "most unsatisfactory." "It is neither calculated to deter from crime, nor contribute to the personal reformation of the prisoner." About this time, too, was unearthed the great bugbear of the unhealthiness of the site—a fatal and unfair imputation from which Millbank to this day is unable to shake itself quite free. Still there was some foundation for the objection at the particular time of which I am writing. A formidable epidemic of dysentery had run through the prison in 1841, and in the following year Dr. Baly, the medical superintendent, gave it as his opinion that "the diarrhœa and dysentery prevalent in the prison are due to the malarious influence arising from the low, damp, and undrained ground immediately surrounding the Penitentiary;" and he finds that "other institutions in similar localities have been peculiarly subject to the same disease." His remedy was that "all unoccupied ground round about should be carefully drained, that the filling in of the moat should be completed, and that the deposit of decaying filth and vegetable matter upon the surrounding surfaces should be carefully removed and not allowed again to accumulate."

These and other necessary improvements in the immediate neighbourhood have long since been carried out, and with their completion the whole of the objections necessarily fell to the ground. But it is not so easy to silence the tongue of false report, or to rehabilitate people or

things whose reputation has once been impugned. Down to this day (1875) there are rumours afloat condemning the site as unhealthy; and even in the face of positive evidence to the contrary, the charge is still maintained. But those who are most concerned know that Millbank is as salubrious as any part of London. To prove this I may advance such an unanswerable argument as that there has been no epidemic known in the place since 1854. Since that date also there have been two, and only two cases of typhoid fever, both of which were imported. Again, although London has been visited by the scourge of cholera more than once, not one single attack occurred in Millbank in all those years. Besides this, Millbank for the last twenty years has exhibited an entire freedom from zymotic diseases; and although this may be sufficient to retrieve its character as a generally healthy site, more remains to show that for its own special functions it is eminently suitable. Pulmonary consumption, which may be characterized as the true prison scourge, is in this prison conspicuous by its absence. Over and above all that I have advanced, I may add that Millbank may stand low, but Buckingham Palace is really lower; and that the health of all who dwell within the walls, or in its immediate neighbourhood, appears from the returns of the Registrar General to compare advantageously with that of any district in London.

But that which can be triumphantly refuted at this late date could not be authoritatively denied in 1842. Perhaps, too, the charges rested on a certain foundation of fact; though it is more than possible that the continual use of Thames water for drinking purposes was really more to blame than the actual unhealthiness of the site. This is

a point which Dr. Baly missed, but it came out afterwards.

But one way and another, from one cause added to the other, the Penitentiary was drawing nearer and nearer to its doom. At length its death-blow came, accelerated doubtless by the sweeping alterations contemplated in our whole system of secondary punishments. These changes, by which also the whole constitution of the Penitentiary was changed, will be detailed at length in my second volume, and the closing chapter of this shall be devoted to winding up the affairs of old Millbank.

It was on the 5th May, 1843, that Sir James Graham, then Home Secretary, introduced a Bill for the better regulation of the Penitentiary. The House must be fully aware, he said, of the Report (the Eighth Report of the Inspector of Prisons) in which it was stated that as a *Penitentiary*, Millbank "Prison had been an entire failure." Its functions, therefore, in that respect were now to cease. But the next thing was to consider what use might be made of it, for it was a large building and had many conveniences for a prison. Just at this moment, however, the Government had determined to carry out a certain new classification of all convicts sentenced to transportation. In other words, felons were to suffer this punishment in different degrees, according to their condition and character. But to ascertain in which category offenders should be placed a time of probation and proof was needed, and this period should be passed at some general depot, where for nine or ten months the character of each convict might be tested. Millbank was admirably suited for the purpose. From thence, after the necessary interval, the juveniles were to

be sent on to the new prison at Parkhurst, the best and most promising convicts to Pentonville, the rest to the hulks, but one and all only *in transitu* to the antipodes.

Nothing now remained but for the Penitentiary Committee to go through the ceremony of the "Happy Despatch"; for by the new arrangements the control of the prison was to be vested in a body of Government Inspectors, and of a governor acting under them. In a letter to the Secretary of State the committee, while acknowledging that their time has come, are clearly anxious to justify themselves in the eyes of the public. The system of modified intercourse which they had introduced, and for which they were to a certain extent blamed, was forced upon them, they said, by the prevalence of insanity under their former rules. They were, however, prepared to admit that the plan substituted had been most unsatisfactory in its results on morals and discipline, and they fully approved of the new and improved arrangements which were now to come into force; at the same time they expressed a fear "that the effect of adopting the plan will be to divest the institution in a great measure of its character as a Penitentiary." Under the new system "there will be a rapid succession of transports continually passing through the prison; and the shortness of their confinement, though very desirable on the score of health, will necessarily militate against the possibility of any great mental or moral improvement. Nothing is intimated as to the nature of the discipline to which the transports are to be subjected during their detention here. The committee, however, are satisfied that a vigorous system will be found necessary for the maintenance of order among criminals of so depraved and

desperate a character as the male transports are evidently expected to be. In short, it is obvious that an entirely new state of things is at hand, one never contemplated by any members of the committee when they originally consented to act; one moreover which will require, in their opinion, an active and unremitting superintendence such as their other avocations render them incapable of undertaking." Therefore one and all of them were glad to resign their functions into other hands. But they "cannot conclude without remarking that the new system contemplated would never be properly administered by a clerical governor, even if he considered it consistent with his sacred functions to undertake such a charge. They are assured, however, by Mr. Nihil that he should deem it wholly incompatible with his character as a clergyman to consent to hold the office of governor under the new system; they fully concur in his views and feelings on the subject, and they cannot permit themselves to doubt that you (the Home Secretary) will also concur in them."

I find in the minutes of the committee on the 9th June, 1843, that all members are requested to attend at their next meeting, "which would probably be their last." On the 16th June, therefore, there were present—the Right Hon. Earl Devon; the Right Hon. Lord Colborne; the Hon. F. S. Calthorpe; the Right Hon. W. E. Gladstone, M.P.; Charles Ross, Esq.; Thomas Greene, Esq.; William Gregson, Esq.; the Rev. John Jennings; Benjamin Harrison, Esq.; Lieut.-Col. G. E. Nugent; Thomas R. Wheatley, Esq.; Edward Vansittart Neale, Esq.

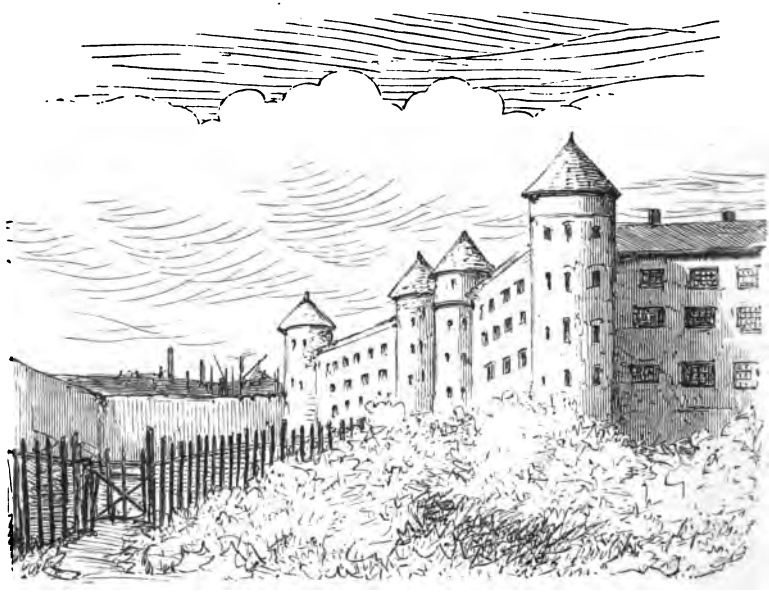
This is their last minute:—

"As the Bill now pending in Parliament for effecting an entire change in this establishment will very shortly pass into law, and the committee may

not have another opportunity of meeting, they are unwilling to separate to-day without placing the following resolution on record :—

"Resolved that the thanks of the committee be presented to the Rev. D. Nihil, governor and chaplain, for the zeal, ability, and humanity with which he has discharged his onerous duties, and especially for the earnestness with which he has uniformly endeavoured to render the administration of the discipline subservient to the great moral and religious ends of the Penitentiary."

At the same time they passed votes of thanks also to the assistant-chaplain, the medical superintendent, the matron, manufacturers, steward, and officers generally. And from that time forth Millbank, as a Penitentiary, ceased to exist.



IN THE PRISON GARDEN.

APPENDIX TO VOLUME I.

SALARIES OF OFFICERS—1817.

Governor	£600	a year	
Matron	250	„	with percentage.
Chaplain	400	„	
Secretary and Accountant	300	„	
Surgeon	400	„	(medicines provided).
Master Manufacturer	200	„	with percentage.
Steward	150	„	

INFERIOR OFFICERS.

MALES.				NO.
Taskmasters, each	£60	a year,	with percentage	4
Turnkeys	50	„	ditto and rations	20
FEMALES.				
Taskmistresses, each	£60	a year,	with percentage	2
Turnkeys	50	„	ditto and rations	10
Nurses	50	„	with rations	2

SERVANTS.

Lodge Porters	£50	a year,	with rations	3
Messenger	50	„	ditto	1
Patroles	50	„	ditto	4
				46

Total Male Officers . 32 | Total Female Officers . 14

DAILY RATIONS.

1 lb. bread (whole meal)
¾ lb. of beef or mutton without bone
1 lb. of sound potatoes
Salt and pepper; also coals and candles.

Governor, Chaplain, Surgeon, to be married men.
Outer Lodge Porter, ditto.
Porter at Lodge of Female Pentagon, ditto.
Secretary not to live in the Prison.

PERCENTAGE.

Three-fourths, or 15*s.* in the £, or 9*d.* in the shilling, to the Establishment; one-eighth, or 2*s.* 6*d.* in the £, or 1½*d.* in the shilling, to Prisoner; one-twenty-fourth, or 10*d.* in the £, or ½*d.* in the shilling, to the Manufacturer, Matron, Taskmaster, Taskmistress, and Turnkey of the Subdivision.

As the earnings varied considerably, the average annual amount received by each officer was about £10.

THE FIRST COMMITTEE OF MANAGEMENT appointed by the Prince Regent in Council at the Court of Brighton, on the 12th February, 1816, was composed of—

The Right Hon. Chas. Abbott, *Speaker of the House of Commons.*
„ George Rose.
„ Charles Bathurst.
„ Charles Long.
„ Richard Ryder.
Sir William Curtis, Bart.
Sir James Shaw, Bart.
Sir Benjamin Hobhouse, Bart.
John Fane, Esq.
Wm. Morton Pitt, Esq.
George Peter Holford, Esq.
Edward Bootle Wilbraham, Esq.
Davies Giddy, Esq.
George Byng, Esq.
William Mellish, Esq.
Charles Wetherall, Esq.
Charles Shaw Lefevre, Esq.
Rev. Archdeacon Pott.
Rev. Archibald Cambridge.
Rev. John Thos. Becher.

Caxton Printing Works, Beccles.